CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-SIXTH LEGISLATIVE DAY

ONE HUNDRED EIGHTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, June 21, 1951

The Assembly met at 10 a.m.

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

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

Quorum present.

PRAYER

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

Our Father, Which Art in Heaven, Hallowed be Thy name.

Guide and guard our President, our Governor, our Speaker and Members of this Assembly, and all lawgivers and counsellors. We pray for our defenders on land and sea and in the air, our officials and citizens.

"O God of Love, whose spirit wakes
In every human breast,
Whom love, and love alone, can know,
In whom all hearts find rest,
Help us to spread Thy gracious reign
Til greed and hate shall cease,
And kindness dwell in human hearts
And all the earth find peace."

In Jesus' name.—AMEN

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

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

Mr. Smith, on motion of Mr. Lipscomb.

Mr. Rosenthal, on motion of Mr. Lipscomb.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

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

Assembly Concurrent Resolution No. 63

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

Speaker Pro Tempore Presiding

At 10.15 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 1054

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

STEWART, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1054—An act to amend Section 11200 of, and to add a new Article 9.5 to Chapter 2, Part 3, Division 6, and to amend Sections 11700, 11701, and 11702, of the Water Code, relating to the Central Valley Project; authorizing certain investigations, studies, and preparation of plans and specifications for purposes thereof, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

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

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on June 14, 1951, strike out "amend", and insert "add".

Amendment No. 2

In line 3 of the title of said bill, strike out "11700, 11701, and 11702, of", and insert "11703, 11704, and 11704.1, to".

Amendment No. 3

On page 1 of said bill, strike out lines 11 to 16, inclusive, and insert

"11260 The unit designated as the Feather River Project consists of the Oroville Dam and Reservoir, the Oroville Power Plant, the Oroville Afterbay and Power Plant, and the Delta Cross Channel substantially as described in the publication of the State Water Resources Board entitled "Report on Feasibility of Feather River Project and

Sacramento-San Joaquin Delta Diversion Projects Proposed as Features of the California Water Plan" dated May 1951.

11261. The Feather River Project unit, or any portion thereof,".

Amendment No. 4

On page 1, line 19, of said bill, strike out "units", and insert "a unit".

Amendment No. 5

On page 2 of said bill, strike out lines 1 to 6, inclusive, and insert

"SEC. 3. Sections 11703, 11704 and 11704.1 are added to the Water Code, to read:

11703. The bonds authorized by Section 11700, or any portion thereof, may be issued and sold and the proceeds thereof expended for the construction of the Feather River Project unit and in such case the provisions of Sections 11701 and 11702 shall not be applicable."

Amendment No. 6

On page 2, line 7, of said bill, strike out "11701", and insert "11704".

Amendment No. 7

On page 2, line 15, of said bill, strike out "11702", and insert "11704.1".

Amendment No. 8

On page 2, line 26, of said bill, strike out "authorized by Section 2 of this act", and insert "described in the publication of the State Water Resources Board entitled "Report on Feasibility of Feather River Project and Sacramento-San Joaquin Delta Diversion Projects Proposed as Features of the California Water Plan," dated May 1951,".

Amendments read.

Demand for Previous Question

Messrs. Kirkwood, McCarthy, Silliman, Conrad, and McGee demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments offered by the Committee on Governmental Efficiency and Economy.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Burke, Chapel, Coats, Dickey, Doyle, Elliott, Erwin, Geddes, Grant, Hawkins, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, McGee, Morris, Sherwin, Silliman, Stewart, Thomas, and Mr. Speaker—22

NOES—Babbage, Beck, Belotti, Berry, Brown, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Evans, Gaffney, Grunsky, Gubser, Hagen, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Moss, Niehouse, Parker, Rumford, and Shaw—41.

Bill ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 66	Senate Bill No. 1819
Senate Bill No. 874	Senate Bill No. 1824
Senate Bill No. 1221	Senate Bill No. 1835
Senate Bill No. 1708	Senate Bill No. 1840

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

STEWART, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 66—An act to amend Section 3 of an entitled "An act relating to the performance by the Department of Public Works of highway and other cooperative work for the Federal Government, making an appropriation for administrative expenses, declaring the urgency thereof, and providing that this act shall take effect immediately," approved October 13, 1950, relating to the time during which said act shall remain in effect.

Bill read second time, and ordered to third reading.

Senate Bill No. 874—An act to add Section 1556.1 to and to amend Section 1557 of, the Labor Code, relating to employment agencies.

Bill read second time, and ordered to third reading.

Senate Bill No. 1221—An act to amend Section 141 of the Streets and Highways Code, relating to the powers of the Department of Public Works.

Bill read second time, and ordered to third reading.

Senate Bill No. 1708—An act to amend Sections 1090, 1091, 1092, 36525, 36526, and 36527 of the Government Code, relating to the powers of the State of California or any county, city, district or other public agency, corporation or body to enter into contracts or make purchases.

Bill read second time, and ordered to third reading.

Senate Bill No. 1819—An act conveying certain tidelands and lands lying under inland navigable waters, situate in Bodega Harbor to the County of Sonoma, in furtherance of navigation and commerce and the fisheries and for public recreational purposes, and providing for the government, management and control thereof, reserving rights to the State.

Bill read second time, and ordered to third reading.

Senate Bill No. 1824—An act to change the name of the California Vocational Institution to the Deuel Vocational Institution by amending the title of Article 4, Chapter 1, Title 1, Part 3 of the Penal Code, and by amending Sections 2035 to 2041 of said code.

Bill read second time, and ordered to third reading.

Senate Bill No. 1835—An act to amend Section 117 of the Labor Code, relating to offices and rooms for the Industrial Accident Commission.

Bill read second time, and ordered to third reading.

Senate Bill No. 1840—An act to add Section 115 to the Business and Professions Code, relating to the reinstatement of licenses by persons serving in the Armed Forces.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Senate Bill No 1472

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

LINDSAY, Vice Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1472—An act to amend Section 2 of an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, re-enacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929,' and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts and continuing such districts under the provisions of this act with the powers herein conferred," approved June 16, 1931, relating to eminent domain and declaring the urgency thereof.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

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

Senate Bill No 347
Senate Bill No 451

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

STANLEY, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 347—An act to amend Sections 1075, 1331, and 2006 of the Streets and Highways Code, relating to county road commissioners.

Bill read second time.

Consideration of Committee Amendments

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

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on June 6, 1951, strike out "and 2006", and insert "2006, and 2009".

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

Amendment No. 2

On page 2 of said bill, after line 36, insert

"SEC. 4 Section 2009 of said code is amended to read:

2009. The board *of supervisors* shall [determine the general policies of the county as] *act as the policy-making body with respect* to county highway matters and [the same shall be carried out and administered by the road commissioner] *shall by appropriate action establish the general policies to be followed by the road commissioner in the administration of his department.* The *road* commissioner shall [employ such assistants and employees as may be necessary, subject to the approval of the board of supervisors of the salary or other compensation to be paid, and] *administer his department and carry out the general policies of the board in conformity with the estimates of expenditures fixed in the budget as finally adopted by the board or as thereafter revised by appropriate action of the board. The commissioner shall employ such assistants and employees as may be necessary, in conformity with the budget and county policies and procedure with respect to personnel and subject to the approval of the board of the salary or other compensation to be paid. The commissioner shall have sole supervision and jurisdiction over personnel and over the assignments of personnel engaged in work on county roads. The commissioner* may purchase, lease, or hire such equipment as [is] *may be* necessary for county road purposes, *in conformity with the budget and policies of the county with respect to purchases and rentals and* subject to [the] approval of the board as to the price or rental. *The commissioner shall have sole jurisdiction over the assignment of equipment used for county road work.*"

Amendment No. 3

On page 2, line 26, of said bill, strike out "four-fifths".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 451—An act to add Section 27250 to the Streets and Highways Code, relating to bridge and highway districts.

Bill read second time.

Consideration of Committee Amendments

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

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on June 13, 1951, strike out "add Section 27250 to", and insert "amend Section 27186 of, to add Section 27250 to, and to repeal Section 27303 of,".

Amendment No. 2

On page 1 of said bill, after line 11, insert

"SEC. 2. Section 27186 of the Streets and Highways Code is amended to read:

27186. The general manager, secretary, auditor, engineer, and attorney, and any other officers or employees of the district who may be required to do so by the board, shall give such bonds to the district, conditioned upon the faithful performance of their duties, as the board may prescribe. *When deemed expedient by the board a master official bond may be used which shall provide coverage on more than one officer or employee who is required by the board to give bond. Such bond shall be in the form and for the term which is approved by the board and shall inure to the benefit of the district by whom such officer or employee is employed as well as the officer under whom the employee serves.*

SEC 3 Section 27303 of the Streets and Highways Code is repealed."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 1209

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

STEWART, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1209—An act to amend Section 10 of the Property Acquisition Act relative to repairs and improvements on state property, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

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

Senate Bill No. 42
Senate Bill No. 43

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

STANLEY, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 42—An act to add Article 7 to Chapter 2, Part 6, Division 12 of the Water Code, relating to county water districts.

Bill read second time.

Consideration of Committee Amendments

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

Amendment No. 1

On page 1, line 18, of the printed bill, as amended in the Senate on June 8, 1951, after "State", strike out the comma; and strike out all of lines 19 and 20, and insert a period.

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 43—An act to add Section 31022.5 to the Water Code, relating to county water districts.

Bill read second time.

Consideration of Committee Amendments

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

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Senate on April 18, 1951, after "sell", insert "at wholesale".

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 7 to 14, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

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

Senate Bill No. 256	Senate Bill No. 1833
Senate Bill No. 257	Senate Bill No. 317
Senate Bill No. 1439	Senate Bill No. 900

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

DUNN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 256—An act to add Section 1841 to the Education Code, relating to the donations, bequests, and devises to the Department of Education and to schools, colleges, and institutions under its jurisdiction.

Bill read second time, and ordered to third reading.

Senate Bill No. 257—An act to amend Sections 4905 and 4941 of the Education Code, relating to the Public School System.

Bill read second time, and ordered to third reading.

Senate Bill No. 1439—An act to repeal Section 6851.1 of the Education Code, to amend Section 6851 of said code, and to add Section 6851.1 to said code, all relating to the computation of attendance of physically handicapped minors.

Bill read second time, and ordered to third reading.

Senate Bill No. 1833—An act to amend the heading of Article 5.1, and to add Article 5.2 to, Chapter 11, Division 2, of the Education Code; to add Section 3534 to said code; and to repeal Section 4919.2 of said code, relating to school districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 317—An act to add Sections 12105.1 and 12105.2 to the Education Code, relating to applicants for certification documents authorizing service in the public schools.

Bill read second time, and ordered to third reading.

Senate Bill No. 900—An act to amend Section 5107 of the Education Code, relating to state school building aid.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

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

Senate Bill No. 300
Senate Bill No. 1687

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

DUNN, Chairman

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 300—An act to amend Sections 5153.5, 7102.1, and 7104 of the Education Code, relating to the excess cost of educating mentally retarded pupils.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

Senate Bill No. 1687—An act providing for the study of a night law course in the City of Sacramento, and the experimental conduct of such a course, and making an appropriation therefor.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

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

Senate Bill No. 1684

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

STANLEY, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1684—An act to amend Sections 38691, 38693, 38694, 38695, 38696, 38697, 38699, 38701, 38702, 38704, 38705, and 38707, and to repeal Section 38698, of the Government Code, relating to zoning.

Bill read second time.

Consideration of Committee Amendments

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

Amendment No. 1

On page 3, line 9, of the printed bill, as amended in the Senate on June 13, 1951, strike out "90", and insert "40".

Amendment No. 2

On page 3, line 13, of said bill, strike out "with", and insert "without"

Amendment No. 3

On page 3 of said bill, after line 47, insert

"SEC. 14. Any ordinance or amendment thereto passed pursuant to the Zoning Law of 1917 or the Conservation and Planning Act or its predecessor, is hereby confirmed, validated and declared legally effective.

This section shall not operate to confirm, validate or legalize any act or other matter the legality of which is being contested or inquired into in any legal proceeding

now pending and undetermined, and shall not operate to confirm, validate or legalize any act or other matter which has heretofore been determined in any legal proceeding to be illegal, void or ineffective."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

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

Senate Bill No. 356

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

STANLEY, Chairman

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 356—An act authorizing the Director of Finance to grant certain rights of way to the City of Berkeley and to pay the City of Berkeley the costs incurred by that city in the widening and paving of certain streets in exchange for certain property, and making an appropriation therefor.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

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

Senate Bill No. 600
Senate Bill No. 771
Senate Bill No. 979
Senate Bill No. 1421
Senate Bill No. 1839
Senate Bill No. 1842
Senate Bill No. 303

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

STANLEY, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 600—An act to add Sections 30701.5 and 30735.5 to, and to amend Section 30748 of, the Water Code, relating to the election of directors of county water districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 771—An act to amend Sections 443 and 448 of the Education Code, relating to the salaries of county superintendents of schools of counties of the forty-third and forty-eighth classes.

Bill read second time, and ordered to third reading.

Senate Bill No. 979—An act to amend Section 447 of the Education Code, relating to county school superintendents' salaries in counties of the forty-seventh class.

Bill read second time, and ordered to third reading.

Senate Bill No. 1421—An act to amend Section 28107 of the Government Code, relating to compensation for public services in counties of the seventh class.

Bill read second time, and ordered to third reading.

Senate Bill No. 1839—An act to amend Section 28148 of the Government Code, relating to compensation for public service in counties of the forty-eighth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 1842—An act to amend Section 449 of the Education Code, relating to county school superintendent's salary in counties of the forty-ninth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 303—An act to amend Section 432 of the Education Code, relating to county school superintendent's salary in counties of the thirty-second class.

Bill read second time.

Motion to Amend

Mr. Belotti moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on June 15, 1951, strike out "Section", and insert "Sections 410 and".

Amendment No. 2

In line 2 of the title of said bill, strike out "superintendent's"; and strike out lines 3 and 4 of the title, and insert "superintendents."

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

Amendment No. 3

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

"SECTION 1. Section 410 of the Education Code is amended to read:

410 The annual salary of the county superintendent of school of a county of the tenth class is [eight thousand nine hundred dollars ($8,900)] *twelve thousand dollars ($12,000)*, and he shall possess a valid general administrative credential issued by the State Board of Education.

SEC. 2. Section 432 of said code is".

Amendments read, and adopted

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 1219
Senate Bill No. 1838

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

STEWART, Chairman

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1219—An act to amend Section 25301 of the Corporations Code, relating to the salary of the Commissioner of Corporations.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

Senate Bill No. 1838—An act to add Sections 37 and 38 to the Construction and Employment Act, relating to the allocation of funds to cities, and making an appropriation therefor.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

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

Senate Bill No. 439
Senate Bill No 1836

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

DUNN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 439—An act to amend add Section 4901.7 to the Education Code, relating to the selection of members of the County Committee on School District Organization.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on June 13, 1951, strike out "amend".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1836—An act to add Sections 20393.1 and 20393.2 to the Education Code, relating to dismissal of employees of state colleges.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on June 12, 1951, strike out lines 9 through 12, inclusive.

Amendment No. 2

On page 1, line 13, of said bill, strike out "(b)", and insert "(a)".

Amendment No. 3

On page 1, line 16, of said bill, strike out "(c)", and insert "(b)".

Amendment No. 4

On page 1, line 18, of said bill, strike out "(b)", and insert "(a)".

Amendment No. 5

On page 1, line 19, of said bill, strike out "(d)", and insert "(c)".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

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

Senate Joint Resolution No 36

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

DUNN, Chairman

Above reported resolution ordered on file for adoption.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred.

Senate Bill No. 305

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

LINDSAY, Vice Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 305—An act to amend Sections 353, 458, and 507 of the Streets and Highways Code, relating to state highway routes.

Bill read second time.

Consideration of Committee Amendments

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

Amendment No. 1

In line 1 of the title of the printed bill, strike out "458, and 507", and insert "364, 375, 435, 454, 458, 459, 467, 471, 496, and 507 and to repeal Sections 481 and 483".

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

Amendment No. 2

On page 1 of said bill, between lines 4 and 5, insert

"SEC. 2. Section 364 of said code is amended to read:

364. Route 64 is from:

(a) Route 2 near San Juan Capistrano to Route [77 near Lake Elsinore] *78 near Perris*.

(b) Route 78 near Perris to Route 26 near Indio.

(c) Mecca via Blythe to the Arizona State line at the Colorado River, and includes that portion of the Colorado River highway bridge (near Ehrenburg, Arizona) which is within the State of California. The Department may contract with the State of Arizona, for and on behalf of the State of California, for the maintenance of such bridge.

(d) A point near Shaver's Summit on that portion of Route 64 specified in subdivision (c) to Route 26 near Indio.

SEC. 3. Section 375 of said code is amended to read:

375. Route 75 is from:

(a) Oakland to Route [5] *4* near Stockton via Walnut Creek and Antioch.

(b) Route (a) above, north of Walnut Creek to Martinez

(c) Route 4 near Stockton via Copperopolis to Route 65 near Altaville

SEC. 4. Section 435 of said code is amended to read:

435. Route 135 is from Route 10 [at] *near* Hanford [via], *thence southerly in the vicinity of* Corcoran and *via* Earlimart to Route 129 near Ducor.

SEC. 5 Section 454 of said code is amended to read.

454 Route 154 is from:

(a) *The junction of Route 60 and Saviers Road in Ventura County, along the route of said road to Route 2 at El Rio*

(b) Route 2 near El Rio to Route 9 near Saticoy.

[(b)] *(c)* Route 9 near Saticoy to Route 79"

Amendment No. 3

On page 1 of said bill, strike out lines 5 to 10, inclusive, and insert

"SEC 6. Section 458 of said code is amended to read

458. Route 158 is from Route 4 near San Fernando to Route 2 in the vicinity of El Toro; provided, however, that Section 600 of this code shall be applicable to that portion of said route southerly of Route 167 near Signal Hill the same as if said portion had been added by the Collier-Burns Highway Act of 1947, and the Department of Public Works shall not be required to maintain any portion of said route until the same has been laid out and constructed as a State highway.

SEC. 7. Section 459 of said code is amended to read:

459. Route 159 is [Lankershim Boulevard] from Route 2 near [Universal City] *Vineland Avenue* to Route 4 *near Tujunga Wash.*

SEC. 8. Section 467 of said code is amended to read:

467. Route 167 is from Long Beach to [Route 205 in South Pasadena] *Huntington Drive.*

SEC. 9. Section 471 of said code is amended to read:

471. Route 171 is from Route 60 near Huntington Beach to Route [2 near Whittier] *62 at or near Buena Park.*

SEC. 10 Section 496 of said code is amended to read:

496. Route 196 is from Route 2 near Oceanside to [Vista] *Route 77 near Escondido.*"

Amendment No. 4

On page 1, line 11, of said bill, strike out "3", and insert "11".

Amendment No. 5

On page 1 of said bill, after line 19, insert

"SEC. 12. Sections 481 and 483 of said code are repealed."

Amendments read, and adopted.

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

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 20, 1951

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

Assembly Bill No 155	Assembly Bill No 2367
Assembly Bill No 302	Assembly Bill No. 2816
Assembly Bill No 589	Assembly Bill No 2941
Assembly Bill No. 743	Assembly Bill No 3198
Assembly Bill No 1356	Assembly Bill No. 3307
Assembly Bill No. 1715	Assembly Bill No. 3439
Assembly Bill No 1841	Assembly Bill No 40
Assembly Bill No 2196	Assembly Bill No. 2625
Assembly Bill No. 2362	

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

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

Above reported bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 20, 1951

MR SPEAKER. I am directed to inform your honorable body that the Senate appointed Senators Burns, McCarthy, and Miller as a Committee on Conference concerning:

Assembly Bill No. 1534—An act to amend Section 2137.1 of the Business and and Professions Code, relating to persons authorized to practice medicine and surgery in state institutions.

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

SENATE CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 464—An act to amend Section 303 of the Probate Code, relating to disqualification of judges.

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

Assembly Bill No. 464 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1772—An act to amend Sections 203, 204, 204a, 206, 226, 227, 230, 231, 233, 248, and 250 of the Code of Civil Procedure, relating to jurors.

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

Assembly Bill No. 1772 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 20, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1786—An act to amend Sections 17, 73e, 77b, 82, 83, 84, 85, 117, 117a, 117b, 117c, 117d, 117e, 117g, 117h, 117ha, 117i, 117j, 117l, 117m, 117o, 117p, 117r, 131 3, 134, 139, 142, 147, 149a, 150, 151, 152, 153, 166, 170, 170a, 171, 172, 188, 189, 274c, 372, 406, 407, 408, 410, 412, 413, 422, 426, 437, 437b, 437c, 446, 465, 472, 472a, 477, 480, 481, 482, 483 492, 493, 494, 495, 496, 498, 499, 500, 503, 515, 520, 538, 539, 540, 545, 548, 554, 555, 556, 573, 581, 581b, 581d, 585, 594, 596, 600, 607a, 628, 631, 632, 638, 639, 640, 641, 644, 664, 667a, 668, 674, 675, 681a, 682, 688.1, 683, 689, 692, 714, 715, 717, 717.1, 718, 719, 720, 721, 722, 973, 974, 975, 977, 978, 978a, 979, 981, 982, 990 997, 1000 1003, 1005, 1006, 1008, 1011, 1015, 1030, 1031, 1032, 1032 5, 1032 6, 1033, 1033 7, 1054, 1054 1, 1054a, 1068, 1085, 1103, 1134, 1135, 1144, 1146, 1148, 1149, 1151, 1166a, 1168, 1169, 1176, 1208.5, 1211, 1212, 1213, 1214, 1215, 1217, 1218, 1220, 1221, 1222, 1995, 2024, 2037, and 2038 of the Code of Civil Procedure; to amend the headings of Chapter 5 of Title 1 of Part 1, of Article 3 of Chapter 5 of Title 1 of Part 1, and of Chapter 3 of Title 13 of Part 2 of the Code of Civil Procedure; to repeal the heading of Article 4 of Chapter 5 of Title 1 of Part 1 of the Code of Civil Procedure; to repeal Chapter 6 of Title 1 of Part 1 of the Code of Civil Procedure; and to renumber Chapter 7 of Title 1 of Part 1 of the Code of Civil Procedure to be Chapter 6; all relating to courts of justice, various officers connected therewith, and judicial districts

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

Assembly Bill No. 1786 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 20, 1951

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

Senate Bill No. 693

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

SENATE CHAMBER, SACRAMENTO, June 20, 1951

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

Assembly Bill No 954
Assembly Bill No. 2212

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

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 20, 1951

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

Senate Bill No. 640—An act to amend Sections 5, 6, and 7 of, and to add Section 3¼ to, the Highway Carriers' Act, relating to highway carriers

And appointed Senators Regan, James E Cunningham, and Harold T. Johnson as a Committee on Conference to meet a like committee from the Assembly.

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

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 640

The Speaker announced the appointment of Messrs. Grunsky, Gaffney, and Kirkwood as a Committee on Conference concerning Senate Bill No. 640.

RESOLUTIONS

The following resolutions were offered:

By Mr. Silliman:

House Resolution No. 237

Relative to allocations of the Contingent Fund of the Assembly

Resolved by the Assembly of the State of California, That the balance of all money appropriated (and now or hereafter available) for contingent expenses of the Assembly, except such sums as are available for expenses of interim committees or for other purposes, is hereby made available to the Assembly Legislative Process Committee (created by House Resolutions 13 and 180, 1949 Regular Session, and continued by House Resolution 16 of this session) from the Assembly Contingent Fund for any charges, expenses or claims it may incur, to be paid from said Contingent Fund and disbursed as provided in said resolutions The money made available by this resolution includes the unencumbered balances of all sums heretofore or hereafter made available to any Assembly or joint interim committee upon the expiration of such committee.

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

By Mr. Geddes:

House Resolution No. 238

Pertaining to an investigation of the expenditures of county funds to influence legislation

WHEREAS, In a recent news article in a Sacramento paper the statement was made that Assembly Bill 1216, providing for aid to the needy and totally disabled was defeated by the joint efforts of the County Supervisor's Association and the California State Chamber of Commerce, and

WHEREAS, A study of such documents as are immediately available reveals that the State Controller reports a total of $2,147,167.51 as having been appropriated by the various counties from general county taxes levied for the Fiscal Year 1950-51, the purposes ostensibly for advertising and promotion, and

WHEREAS, A preliminary examination of the budgets of 54 out of the 58 counties indicates that payments have been made by the various counties to the State Chamber of Commerce amounting to $41,075, and payments made to other chambers of commerce which amount to $743,483, also, that payments to the Supervisor's Association, Inc. amounting to $44,145.25 were made and expenditures designated "legislative expense" amounted to $27,575. Payments made to other groups with legislative programs amounted to $23,350, and payments for items charged to expenses, membership dues, professional and expert services, travel, advertising, conferences and conventions came to $486,126, and

WHEREAS, A more extensive summary of related items in the budgets of the counties reveals other items which may or may not be related to the subject matter of this resolution, to wit:

Direct Appropriations by County Boards of Supervisors
As Shown in Final County Budgets for 1950-51

Counties	To California State Chamber of Commerce	To Other Chambers of Commerce	To Supervisors Associations	Legislative Expense	Other Groups with Legislative Programs	Expense Membership Dues Professional and Expert Services Travel Advertising Conferences & Conventions
Alameda	----	$164,700.00	----	----	----	$40,300.00
Alpine	----	----	$200.00	----	$50.00	300.00
Amador	----	----	----	----	----	----
Butte	----	----	----	----	----	----
Calaveras	----	----	525.00	----	----	4,850.00
Colusa	$250 00	----	----	$600 00	----	500.00
Contra Costa	----	----	----	----	----	24,150.00
Del Norte	----	----	----	----	----	3,450 00
El Dorado	200 00	5,960 00	600 00	----	----	3,500 00
Fresno	3,000 00	27,906 00	3,908 00	----	----	6,500 00
Glenn	300.00	2,700 00	1,100 00	----	----	2,300 00
Humboldt	----	----	----	----	----	----
Imperial	500.00	----	750 00	----	----	----
Inyo	300 00	----	550 00	300.00	----	----
Kern	----	93.455 00	----	----	----	25.000 00
Kings	400 00	3,420 00	1,425.00	----	----	350.00
Lake	500 00	----	475.00	----	1,800 00	----
Lassen	400.00	1,800 00	----	975 00	----	----
Los Angeles	10,000.00	250,000.00	10,000.00	8,000 00	----	----
Madera	300 00	----	1,000 00	----	----	2,500 00
Marin	500 00	----	875 00	----	----	3,450 00
Mariposa	----	----	----	500.00	----	600 00
Mendocino	----	----	----	600.00	----	1,000.00
Merced	----	2.000 00	886.00	----	300.00	----
Modoc	----	1,500 00	----	----	----	1,500 00
Mono	----	----	----	----	----	----
Monterey	1,125 00	6.900 00	881 25	----	----	----
Napa	500.00	3,200.00	600 00	----	----	3,600.00
Nevada	300 00	----	----	----	----	3.400 00
Orange	1,500 00	6,225 00	2,700 00	----	----	1,700 00
Placer	----	----	800.00	----	----	100 00
Plumas	300 00	7.825.00	250 00	----	----	2,000 00
Riverside	1,000 00	8,635 00	1,900 00	----	----	4,000 00
Sacramento	2,500 00	31,150 00	1,900 00	----	----	----
San Benito	200.00	300 00	550 00	----	----	3,750 00
San Bernardino	----	1,575 00	----	----	----	2,225.00
San Diego	----	16,200.00	----	4,700.00	----	----
San Francisco	----	----	----	10,000 00	8,200 00	267,500 00
San Joaquin	2,000.00	22.500 00	1,900 00	----	4,000.00	350 00
San Luis Obispo	1,000 00	----	----	----	----	500 00
San Mateo	1,000.00	3.750 00	1,900 00	----	----	9,000 00
Santa Barbara	1,500 00	10,100.00	----	----	----	5,000 00
Santa Clara	2,000.00	30,000 00	----	----	----	7,000 00
Santa Cruz	500 00	3,250 00	----	----	----	1,000.00
Shasta	500 00	5,950 00	1,525.00	----	----	----
Sierra	----	1,580 00	----	----	----	1,350 00
Siskiyou	500 00	2,000 00	600 00	----	500 00	500 00
Solano	1,000.00	13,000 00	50 00	----	1,000.00	400 00
Sonoma	3,000 00	900 00	1,075 00	----	7,500 00	27,375 00
Stanislaus	1,000 00	5,000 00	1,495 00	----	----	----
Sutter	----	2,250 00	650 00	----	----	600 00
Tehama	250 00	1,500.00	1,000 00	----	----	2,000 00
Trinity	----	----	----	----	----	----
Tulare	----	4,452 00	----	----	----	11,676 00
Tuolumne	500 00	500 00	675 00	----	----	500 00
Ventura	2,000.00	1,000 00	----	1,900 00	----	4,500 00
Yolo	----	300.00	.800 00	----	----	5,500.00
Yuba	250.00	----	600 00	----	----	350 00
	$41,075 00	$743,483.00	$44,145 25	$27,575 00	$23,350 00	$486,126 00

and

WHEREAS, It is also indicated that the Los Angeles County Board of Supervisors entered into a contract, where for a consideration of $10,000 it was provided that the State Chamber of Commerce among other things was to appear before various committees of the State Legislature, and that the Board of Supervisors of San Diego County entered into a like contract with the same organization whereby for $1,500 the same services were to be performed; and

WHEREAS, It appears that there may be some reason, not at once apparent, why it should be necessary to arrange for a duplication through the State Chamber of Commerce or any other chamber of commerce to act as a legislative advocate for the county or counties in view of the amount of money expended for the support of their own organizations qualified to perform the same duties, and

WHEREAS, There may be question as to the propriety of the use of county taxpayers money in attempts to influence legislation which may be detrimental to, and in direct conflict with, the interest of the great mass of payers of county taxes; now, therefore, be it

Resolved, That the Assembly Interim Committee on Municipal and County Government, created at the 1951 Session of the California Legislature be, and hereby is, directed to include in its studies all matters pertaining to such expenditures made by the individual County Boards of Supervisors during the past several years and the present time, and that the expenditures of said monies by the various agencies to which payments were made, if any, be investigated for the purpose of ascertaining in what manner the taxpayers money was spent, and report its findings, either as a special report or included in its report to the Assembly not later than the fifteenth day of the 1953 Regular Session of the California Legislature.

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

By Mr. Moss:

House Resolution No. 239

Directing the Interim Committee on Governmental Efficiency and Economy to study the substance of Assembly Bill No. 1060

WHEREAS, The construction of structures, buildings and facilities by the State is of general interest to the people of the State of California; and

WHEREAS, Assembly Bill No. 1060 provides for a Public Works Construction Act and a State Public Works Authority; now, therefore, be it

Resolved, That the Assembly Interim Committee on Governmental Efficiency and Economy be directed to study and consider the substance of Assembly Bill No. 1060 and include in its regular report a report on its findings as to the feasibility of a State Public Works Authority as provided for in Assembly Bill No. 1060

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

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 1771—An act to amend Sections 91, 150, 230, 325, 337, 384a, 597f, 599a, 682, 726, 808, 817, 859, 890, 1143, 1203.02, 1203.1, 1203.12, 1278, 1298, 1309, 1327, 1382, 1391, 1426, 1427, 1428, 1431, 1432, 1432.1, 1438, 1458, 1459, 1461a, 1466, 1488, 1529, 2623, 4022, 1269b, and 1426a of the Penal Code; to amend the headings of Title 11 of Part 2 and of Chapter 1 of Title 11 of Part 2 of the Penal Code; and to repeal Section 1461 of the Penal Code; all relating to courts of justice, various officers thereof, and judicial districts;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on April 13, 1951, strike out "817, 859, 890,".

Amendment No. 2

In line 3 of the title of said bill, strike out "1382, 1426, 1427,".

Amendment No. 3

In line 4 of the title of said bill, strike out "1428, 1438, 1458, 1459, 1461a, 1466,".

Amendment No. 4

In line 5 of the title of said bill, strike out "Code;" and insert "Code,".

Amendment No. 5

Strike out lines 6 to 7, inclusive, of the title of said bill.

Amendment No. 6

In line 8 of the title of said bill, strike out "Sec 1461 of the Penal Code;"

Amendment No. 7

On page 5 of said bill, strike out lines 18 to 35, inclusive.

Amendment No. 8

On page 5, line 36, of said bill, strike out "13", and insert "12".

Amendment No. 9

On page 6 of said bill, strike out lines 1 to 11, inclusive.

Amendment No. 10

On page 6, line 12, of said bill, strike out "16", and insert "13".

Amendment No. 11

On page 6, line 31, of said bill, strike out "17", and insert "14".

Amendment No. 12

On page 6, line 43, of said bill, strike out "18", and insert "15".

Amendment No. 13

On page 8, line 15, of said bill, strike out "19", and insert "16".

Amendment No. 14

On page 8, line 28, of said bill, strike out "20", and insert "17".

Amendment No. 15

On page 9, line 3, of said bill, strike out "21", and insert "18".

Amendment No. 16

On page 9, line 21, of said bill, strike out "22", and insert "19".

Amendment No. 17

On page 9, line 33, of said bill, strike out "23", and insert "20".

Amendment No. 18

On page 10 of said bill, strike out lines 1 to 17, inclusive.

Amendment No. 19

On page 10, line 18, of said bill, strike out "25", and insert "21".

Amendment No. 20

On page 10 of said bill, strike out lines 33 to 52, inclusive.

Amendment No. 21

On page 11 of said bill, strike out lines 1 to 42, inclusive.

Amendment No. 22

On page 11, line 43, of said bill, strike out "31", and insert "22".

Amendment No. 23

On page 12, line 13, of said bill, strike out "32", and insert "23".

Amendment No. 24

On page 12, line 22, of said bill, strike out "33", and insert "24".

Amendment No. 25

On page 12 of said bill, strike out lines 33 to 50, inclusive.

Amendment No. 26

On page 13 of said bill, strike out lines 1 to 34, inclusive.

Amendment No. 27

On page 13, line 35, of said bill, strike out "39", and insert "25".

Amendment No. 28

On page 13, line 42, of said bill, strike out "40", and insert "26".

Amendment No. 29

On page 14, line 14, of said bill, strike out "41", and insert "27".

Amendment No. 30

On page 14, line 32, of said bill, strike out "42", and insert "28".

Amendment No. 31

On page 14, line 45, of said bill, strike out "43", and insert "29".

Amendment No. 32

On page 15, line 12, of said bill, strike out "44", and insert "30".

Amendment No. 33

On page 15 of said bill, strike out line 16.

Amendment No. 34

On page 15, line 17, of said bill, strike out "46", and insert "31".

MILLER	BROWN
REGAN	FLEURY
JAMES E. CUNNINGHAM	MUNNELL
Senate Committee on Conference	Assembly Committee on Conference

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Morris, Moss, Nicholson, Parker, Porter, Rumford, Silliman, Stewart, Thomas, Waters, and Mr. Speaker—58.

NOES—None.

CONSIDERATION OF SENATE AMENDMENTS

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

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 191?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 1, 1951, strike out "Section", and insert "Sections 2828 and".

Amendment No. 2

On page 1, line 9, of said bill, as amended, strike out "said", and insert "the Elections".

Amendment No. 3

On page 2, line 4, of said bill, as amended, strike out the first "and", and insert "except that in any year in which a national political party shall have set the national convention of the party to include such date, the existing executive committee of the county central committee of that party shall set the date of the meeting, not to exceed 30 days after the date above specified. At such meeting such county central committee".

Amendment No. 4

On page 2 of said bill, as amended, after line 6, insert

"SEC. 2. Section 2828 of said code is amended to read:

2828. Each state central committee may remove any *appointive* member thereof, *and each county central committee may remove any member, other than an ex officio member, thereof,* who during his term of membership affiliates with, or registers as a

member of another party or who gives support to or avows a preference for a candidate of another party or candidate who is opposed to a candidate nominated by the party which that member represents."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 191 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Stanley, Stewart, Tomlinson, and Waters—63.

NOES—None.

Assembly Bill No. 191 ordered enrolled.

Assembly Bill No. 1967—An act to amend Section 428 of the Fish and Game Code, relating to fishing licenses.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1967?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 24, 1951, between lines 16 and 17, insert

"(d) To any citizen of the United States over the age of 16 years, upon payment of one dollar ($1) for a period of three days from the date of issue A license under this subdivision shall grant the privilege of taking fish from waters of the Pacific Ocean only. The provisions of this subdivision shall be effective until the ninety-first day after final adjournment of the 1953 Regular Session and thereafter shall have no force or effect"

Amendment No. 2

On page 1, line 20, of said bill, as amended, strike out "1951", and insert "1952".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1967 by the following vote:

AYES—Clarke, George D Collins, Crowley, Grunsky, and Hansen—5

NOES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Chapel, Cloyed, Collier, Condon, Connolly, Cooke, Davis, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Grant, Hahn, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Waters—51.

Appointment of Committee on Conference Concerning Assembly Bill No. 1967

The Speaker announced the appointment of Messrs Hawkins, George D Collins, and Lindsay as a Committee on Conference concerning Assembly Bill No. 1967.

Assembly Bill No. 2553—An act to amend Sections 4618, 4621, 4622, 4988, 5581, and 5588 of, and to add Sections 4624, 4739 5, 4802, 4803, 4995, 4996, 5565, 5602, 5603, and 6655 to, the Health and Safety Code, relating to the powers and bonds of county sanitation and other sewer districts, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2553?

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on May 4, 1951, strike out "4739 5.".

Amendment No. 2

On page 2 of said bill, as amended, strike out lines 45 and 46

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2553 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—63

NOES—None.

Assembly Bill No. 2553 ordered enrolled.

Assembly Bill No. 3321—An act to amend Section 6b of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3321?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 29, 1951, strike out "an act entitled "An act authoriz-"; strike out lines 2 to 7, inclusive, of the title, and insert "the Municipal Court Act of 1925 and to amend Section 274 of the Code of Civil Procedure, relat-".

Amendment No. 2

On page 1, line 1, of said bill, strike out "act cited in the title hereof", and insert "Municipal Court Act of 1925".

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

Amendment No. 3

On page 2 of said bill, after line 41, insert

"SEC. 2. Section 274 of the Code of Civil Procedure is amended to read:

274. For his services the official reporter shall receive the following fees, except in counties where a statute provides otherwise:

For reporting testimony and proceedings, in contested cases, [fifteen dollars ($15)] *twenty dollars ($20)* per day For reporting each default or uncontested action or proceedings the reporter's fee shall be five dollars ($5); provided, that if more than four defaults or uncontested matters are reported in any one day, or two or more defaults are reported in conjunction with any contested case the reporter's fee shall be at the rate of twenty-five dollars ($25) per day

For transcription for original ribbon copy, twenty-five cents ($0.25) per 100 words, and for each copy made at the same time ten cents ($0.10) each per 100 words

For transcription, in civil cases, the reporter may charge, for special daily copy service 50 percent additional.

In criminal cases in which the court specifically so directs the fee for reporting and for a transcript ordered by the court to be made must be paid out of the county treasury on the order of the court, except that when a daily transcript is ordered as provided in Section 269 of this code then said section shall be applicable; provided, however, that in any case, the court shall not order to be transcribed and paid for out of the county treasury any matter or material other than that reported by said reporter as prescribed in paragraph 1 of Section 269 of this code; and provided further, that when there is no official reporter in attendance, and a reporter pro tempore is appointed, his reasonable expenses for traveling and detention must be fixed and allowed by the court and paid in like manner.

In civil cases the fees for reporting and for all other transcriptions ordered by the court to be made must be paid by the parties in equal proportion, and either party may, at his option, pay the whole thereof; and, in either case, all amounts so paid by the party to whom costs are awarded must be taxed as costs in the case. The fees for transcripts and copies ordered by the parties must be paid by the party ordering the same. No reporter shall perform any service in a civil action other than transcriptions until his fee therefor has been deposited with the clerk of the court."

Amendment No. 4

On page 2 of the printed bill, as amended in the Senate on June 12, 1951, between lines 6 and 7, insert

"All per diem fees otherwise payable by law by the parties to proceedings in said court to official reporters or official reporters pro tempore shall be paid to the clerk of the court. All said fees shall be deposited in the treasury of the said city or city and county to the credit of the general fund."

Amendment No. 5

On page 3, line 23, of said bill, as amended, after "fees", insert "for".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3321 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Moss, Munnell, Niehouse, Parker, Rumford, Sherwin, Silliman, Stanley, Stewart, and Waters—56.

NOES—Beck—1.

Assembly Bill No. 3321 ordered enrolled.

Assembly Constitutional Amendment No. 55—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article XIII thereof a new section to be numbered 19, relating to the proceeds of taxes levied on property in a redevelopment project under the Community Redevelopment Act.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 55?

Amendment No. 1

On page 1, line 13, of the printed measure, as amended in the Assembly on June 1, 1951, strike out "(a)", and insert "1".

Amendment No. 2

On page 1, line 20, of said measure, strike out "many", and insert "may"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Constitutional Amendment No. 55 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Landsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—58.

NOES—None.

Assembly Constitutional Amendment No. 55 ordered enrolled.

Assembly Joint Resolution No. 40—Relative to the application of the Sherman Anti-Trust Act and Miller Tydings Act as applied to State Fair Trade Laws.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Joint Resolution No. 40?

Amendment No. 1

On page 1, line 4, of the printed measure, after "unconstitutional", insert "with respect to the application of a provision thereof to sellers who are not parties to minimum resale price agreements entered into in connection with sales in interstate commerce".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Joint Resolution No. 40 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Sherwin, Stanley, Thomas, Tomlinson, and Waters—59

NOES—None.

Assembly Joint Resolution No. 40 ordered enrolled.

Assembly Bill No. 249—An act to amend Sections 64, 67, 70, 75, 79, and 97 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 249?

Amendment No. 1

On page 2, line 30, of the printed bill, after "submit", insert "within 10 days after the mailing of such notice".

Amendment No. 2

On page 2, line 37, of said bill, strike out "relating to such claim required under this act or", and insert "pursuant to subsection (c) and".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 249 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Chapel, Clarke, Cloyed, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Sherwin, Stanley, Thomas, Tomlinson, and Waters—57.

NOES—None.

Assembly Bill No. 249 ordered enrolled.

Assembly Bill No. 592—An act to amend Section 28124 of the Government Code, relating to compensation for public services in counties of the twenty-fourth class.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 592?

Amendment No. 1

On page 2 of the printed bill, after line 6, insert

"SEC 2. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation

shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendment No. 2

In line 1 of the title of the printed bill, as amended in the Senate on June 8, 1951, strike out "Section 28124 of the Government Code", and insert "Sections 28123 and 28134 of the Government Code, Sections 423 and 434 of the Education Code, and Section 79 24 of the Code of Civil Procedure".

Amendment No. 3

In lines 2 and 3 of the title of said bill, as amended, strike out "of the twenty-fourth class".

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

Amendment No. 4

On page 1 of said bill, as amended, strike out lines 1 and 2, and insert

"SECTION 1. Section 28123 of the Government Code is amended to read:

28123. In a county of the twenty-third class the following shall receive as compensation for their services required of them by law or by virtue of their offices the following sums:

(a) The auditor, [four] *five thousand dollars* [($4,000)] *($5,000)* a year. When required by the board of supervisors to compile an annual statistical report, he *shall receive one hundred fifty dollars ($150) from the general fund of the county* as compensation for compiling the report

(b) The district attorney, [five thousand five hundred] *six thousand six hundred* dollars [($5,500)] *($6,600)* a year. He shall not engage in private law practice and shall devote all his time and attention during business hours to the duties of his office.

(c) Each supervisor, three thousand *six hundred* dollars [($3,000)] *($3,600)* a year for all services performed by him as supervisor, as member of the board of *equalization and as road commissioner No mileage allowance is necessary as the county* furnishes automobiles for the use of supervisors and road commissioners.

(d) For each day's attendance as a grand juror or a trial juror in the superior court, three dollars ($3) a day; for each mile traveled in attending court as such juror, twelve cents ($0.12), in going only.

A grand juror, when attending as a member of a regularly constituted committee or subcommittee of the grand jury, shall receive the same per diem and mileage as is allowed for attending court.

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

SEC. 2. Section 28134 of the Government Code is amended to read.

28134 In a county of the thirty-fourth class the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums:

(a) The auditor, [three thousand five hundred] *five thousand* dollars [($3,500)] *($5,000)* a year.

(b) The district attorney, [five thousand] *seven thousand five hundred* dollars [($5,000)] *($7,500)* a year.

(c) Each supervisor, for all services required of him as supervisor [two thousand four hundred] *three thousand* dollars [($2,400)] *($3,000)* a year. He shall also receive the following mileage and traveling expenses. when using a privately owned automobile, six cents ($0.06) for each mile actually traveled each way. (1) in going *to and from his residence to the courthouse in attending each day's session of the* regular and special meetings of the board of supervisors and in attending each day's session of the meetings of the board of supervisors when the board convenes as a board of equalization, and (2) in the county in the performance of his duties as supervisor and as a member of the county board of equalization. When traveling in a privately owned automobile each member of the board of supervisors shall also be allowed mileage at the rate of six cents ($0.06) a mile or railroad or bus fare, together with *other traveling expenses incurred in traveling to and from places outside of the county* when he is on county business authorized by the board of supervisors

(d) For attending as a juror in the superior court, the justices' courts, and in city courts in cities of the sixth class, each juror shall be paid three dollars ($3) for each day's attendance upon the court and six cents ($0 06) a mile for each mile actually traveled each way in attending each day's session of the court

For serving as a grand juror, each grand juror shall be paid [three] *six* dollars [($3)] *($6) for each day's attendance upon the duly called sessions of the grand jury* and the meetings of committees appointed by the foreman of the grand jury and for each day's service when authorized in writing by the foreman to make individual investigations. When using a privately owned automobile, each grand juror shall also be

allowed [six] *eight* cents [$(0 06)] *($0.08)* a mile for each mile actually traveled by him each way in attending each day's sessions of the grand jury and meetings of committees appointed by the foreman of the grand jury and when making individual investigations upon being authorized in writing to make such investigations by the foreman.

The fees and traveling expenses shall be paid out of the general fund of the county upon warrants drawn by the county auditor upon the written order of the judge of the superior court in the case of grand jurors and jurors attending the superior court, and upon written order of the judge of the court in which the juror was in attendance in the case of jurors attending the justices' courts.

The fees and mileage shall be paid to jurors attending city courts of cities of the sixth class by the treasurer of the city in which the jurors' services were rendered out of the general fund of the city upon warrants drawn by the city auditor upon the written order of the judge of the court in which the jurors were in attendance.

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

SEC. 3. Section 423 of the Education Code is amended to read.

423. The annual salary of the county superintendent of schools of a county of the twenty-third class is [four thousand eight hundred] *six thousand three hundred* dollars [($4,800)] *($6,300)*, and he shall possess a valid elementary or secondary administrative credential issued by the State Board of Education.

SEC. 4 Section 434 of the Education Code is amended to read:

434 The annual salary of the county superintendent of schools of a county of the thirty-fourth class is [four thousand eight hundred] *six thousand* dollars [($4,800)] *($6,000)*, and he shall possess a valid elementary or secondary administrative credential issued by the State Board of Education.

SEC. 5. Section 79.24 of the Code of Civil Procedure is amended to read:

79.24. The annual salary of each judge of the Superior Court in and for the County of Merced is [ten thousand] *thirteen thousand five hundred* dollars [($10,000)] *($13,500)*.

SEC 6 If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so"

Amendment No. 5

On page 1 of said bill, as amended, strike out lines 3 to 24, inclusive; and strike out all of page 2.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 592 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—62.

NOES—None.

Assembly Bill No 592 ordered enrolled.

Assembly Bill No. 594—An act to amend Section 424 of the Education Code, relating to compensation of the county superintendent of schools in counties of the twenty-fourth class.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 594?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "424", and insert "423".

Amendment No. 2

In line 3 of the title of said bill, strike out "twenty-fourth", and insert "twenty-third".

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

Amendment No. 3

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 423 of the Education Code is amended to read:

423. The annual salary of the county superintendent of schools of a county of the twenty-third class is [four thousand eight hundred dollars ($4,800)] *six thousand three hundred dollars ($6,300)*, and he shall possess a valid elementary or secondary administrative credential issued by the State Board of Education."

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 8, inclusive.

Amendment No. 5

In line 1 of the title of the printed bill, as amended in the Senate on June 8, 1951, strike out "423 of the Education Code", and insert "79.20 of the Code of Civil Procedure".

Amendment No. 6

In line 2 of the title of said bill, as amended, strike out "of the county superintendent of schools", and insert "for public service".

Amendment No. 7

In line 3 of the title of said bill, as amended, strike out "of the twenty-third class".

Amendment No. 8

On page 1 of said bill, as amended, strike out line 3, and insert

"SECTION 1. Section 79.20 of the Code of Civil Procedure is amended to read:

79.20 The annual salary of the judge of the Superior Court in and for the County of Madera is [ten thousand] *thirteen thousand five hundred dollars* [($10,000)] *($13,500)*."

Amendment No. 9

On page 1 of said bill, as amended, strike out lines 4 to 10, inclusive

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 594 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Thomas, Tomlinson, Waters, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 594 ordered enrolled.

Speaker Presiding

At 11.05 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Assembly Bill No. 751—An act to amend Section 496 of the Fish and Game Code, relating to fish.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 751?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 24, 1951, strike out "496 of the Fish and Game Code", and insert "3 of Chapter 973 of the Statutes of 1949".

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 1 to 6, inclusive, and insert "SECTION 1. Section 3 of Chapter 973 of the Statutes of 1949 is amended to read:

SEC. 3. The provisions of Sections 495 and 496 of the Fish and Game Code shall be".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 751 by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Stanley, Thomas, Waters, and Mr. Speaker—64

NOES—None.

Assembly Bill No. 751 ordered enrolled.

Assembly Bill No. 981—An act to amend Sections 4318 and 4368 of the Labor Code, relating to burial expenses for civilian defense and disaster workers.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 981?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "4318 and"; and following "4368", insert "and 4702".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "for civilian defense and disaster workers", and insert "for disaster service workers and workmen's compensation death benefits."

Amendment No. 3

On page 1, line 1, of said bill, strike out "4318", and insert "4368".

Amendment No. 4

On page 1, line 3, of said bill, strike out all of said line, and all of lines 4 to 7, inclusive.

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

Amendment No. 5

On page 1 of said bill, following line 10, insert

"SEC. 2 Section 4702 of the Labor Code is amended to read.

4702 The death benefit shall be a sum sufficient to equal:

(a) In a case of total dependency, four times the average annual earnings of the deceased employee.

(b) In a case of partial dependency only, four times the amount annually devoted to support of the dependents by the employee.

The death benefit shall be paid in installments in the same manner and amounts as *temporary* disability indemnity, payments to be made at least twice each calendar month, unless the commission otherwise orders. Except as provided in the next paragraph, the death benefit, when added to all accrued disability indemnity, shall not exceed four times the average annual earnings of the employee, nor exceed the sum of [six] *seven* thousand dollars [($6,000)] *($7,000)* except in the case of a surviving widow and one or more dependent minor children, in which case the death benefit shall be increased 25 percent, but not to exceed [seven thousand five hundred dollars ($7,500)] *eight thousand seven hundred fifty dollars ($8,750)* and, except as otherwise provided in Sections 4553 and 4554 For a total dependency the minimum death benefit shall be three thousand dollars ($3,000).

Disability indemnity shall not be deducted from the death benefit and shall be paid in addition to the death benefit when the original injury resulting in death occurs

after the effective date of the amendment to this section adopted at the 1949 Regular Session of the Legislature.

Every computation made pursuant to this section shall be made only with reference to death resulting from an original injury sustained after this section as amended during the 1949 Regular Session of the Legislature becomes effective; provided, however, that all rights presently existing under this section shall be continued in force"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 981 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None

Assembly Bill No 981 ordered enrolled.

Assembly Bill No. 1232—An act to add Section 9598 to the Business and Professions Code, relating to the State Board of Dry Cleaners.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1232?

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly on May 25, 1951, strike out "reasonabe", and insert "reasonable".

Amendment No. 2

On page 1, line 5, of the printed bill, as amended in the Senate on June 15, 1951, strike out "at reasonable", and insert "during business".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1232 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66

NOES—None.

Assembly Bill No 1232 ordered enrolled.

Speaker Pro Tempore Presiding

At 11 10 a m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 1371—An act providing for the constitution of the municipal court in a district embracing the City of Mountain View, and prescribing the number and compensation of the judges, officers and attaches thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1371?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 1, 1951, strike out "City of", and insert "Cities of Palo Alto and".

Amendment No. 2

On page 1, line 2, of said bill, as amended, strike out "City of Mountain View", and insert "Cities of Palo Alto and Mountain View known and designated as the Palo Alto-Mountain View District".

Amendment No. 3

On page 1 of said bill, as amended, strike out lines 12 to 15, inclusive, and insert "salary of two hundred sixty-five dollars ($265) monthly with annual increments of twenty-two dollars ($22), twenty-two dollars ($22), twenty-two dollars ($22), and twenty-two dollars ($22) to a maximum of three hundred fifty-three dollars ($353) monthly;".

Amendment No. 4

On page 1 of said bill, as amended, strike out lines 17 to 29, inclusive, and insert "imum salary of two hundred thirty-five dollars ($235) monthly with annual increments of twenty dollars ($20), twenty-one dollars ($21), twenty dollars ($20), and twenty-one dollars ($21) to a maximum of three hundred seventeen dollars ($317) monthly;".

Amendment No. 5

On page 1 of said bill, as amended, strike out lines 22 to 25, inclusive, and insert "hundred ninety-five dollars monthly, with annual increments of twenty-one dollars ($21), seventeen dollars ($17), seventeen dollars ($17), and seventeen dollars ($17) to a maximum of two hundred sixty-seven dollars ($267) monthly;".

Amendment No. 6

On page 2 of said bill, as amended, strike out lines 2 to 5, inclusive, and insert "imum salary of two hundred seventy-five dollars ($275) monthly with annual increments of twenty-two dollars ($22), twenty-three dollars ($23), twenty-two dollars ($22), and twenty-three dollars ($23) to a maximum of three hundred sixty-five dollars ($365) monthly;".

Amendment No. 7

On page 2 of said bill, as amended, strike out lines 7 to 11, inclusive, and insert "One deputy at a minimum salary of two hundred fifty dollars ($250) monthly with annual increments of twenty-one dollars ($21), twenty-one dollars ($21), twenty-one dollars ($21), and twenty-two dollars ($22) to a maximum of three hundred thirty-five dollars ($335) monthly;".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1371 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—64.

NOES—None.

Assembly Bill No. 1371 ordered enrolled.

Assembly Bill No. 1389—An act providing for the constitution of the municipal court in a district embracing the City of Salinas, and prescribing the number and compensation of the judges, officers, and attaches thereof.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1389?

Amendment No. 1

On page 2 of the printed bill, as amend in the Assembly on May 16, 1951, strike out lines 12 to 27, inclusive, and insert

"(3) The sheriff and his deputies shall act ex officio as the marshal and deputy marshals of the court."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1389 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser,

Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—64.

NOES—None

Assembly Bill No. 1389 ordered enrolled.

Assembly Bill No. 1390—An act providing for the constitution of the municipal court in a district embracing the Cities of Carmel and Monterey, and prescribing the number and compensation of the judges, officers and attaches thereof.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1390?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 16, 1951, strike out lines 12 to 27, inclusive, and insert

"(3) The sheriff and his deputies shall act ex officio as the marshal and deputy marshals of the court."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1390 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—64.

NOES—None.

Assembly Bill No. 1390 ordered enrolled.

Speaker Presiding

At 11.12 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Assembly Bill No. 1490—An act to amend Section 8 of the Dangerous Weapons Control Law, relating to the issuance of licenses to carry concealed pistols, revolvers and other firearms.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1490?

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Assembly on May 11, 1951, after "firearms", insert ", and providing for the imposition of a fee for the issuance of such licenses".

Amendment No. 2

On page 2 of said bill, as amended, after line 15, insert

"When any license is hereafter issued pursuant to this section, the officer issuing the license shall collect a fee of one dollar ($1) from the licensee, which shall be transmitted by him with the application to the State Bureau of Criminal Identification and Investigation for deposit in the General Fund in the State Treasury."

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1490 by the following vote:

AYES—Berry, Crowley, and Maloney—3.

NOES—Babbage, Belotti, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem,

Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rumford, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—58.

Appointment of Committee on Conference Concerning Assembly Bill No. 1490

The Speaker announced the appointment of Messrs. George D. Collins, Caldecott, and Berry as a Committee on Conference concerning Assembly Bill No. 1490.

Assembly Bill No. 1582—An act to add Section 7.1 to the Alcoholic Beverage Control Act, relating to issuance of licenses.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1582?

Amendment No. 1

On page 1, line 18, of the printed bill, as amended in the Assembly on May 25, 1951, after the period, insert "The acceptance of a license issued pursuant to this section shall constitute a release of any and all claims for damages, if any there be, which the person to whom the license is issued may have against the State by reason of the revocation, cancellation, or expiration of any license previously issued to or held by such person under this act."

Amendment No. 2

In line 20 of the printed bill, after "act", insert "and provided further, that no such license or interest therein shall be subject to transfer by such person to any other transferee for a period of one year and thereafter only if such individual to whom such license has been restored hereunder has during such year as sole owner conducted the business operated under such license and personally, unless prevented by causes beyond his control, worked in the actual operation of said business."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1582 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, and Waters—65

NOES—None.

Assembly Bill No. 1582 ordered enrolled.

Assembly Bill No. 2140—An act to add Chapter 12 of Part 1 of Division 6 of the Harbors and Navigation Code, creating the San Francisco Harbor Finance Board and prescribing its duties; providing for the issuance and sale of revenue bonds by the Board of State Harbor Commissioners, subject to the approval of the San Francisco Harbor Finance Board as obligations of the Board of State Harbor Commissioners for San Francisco Harbor, payable from the revenues of said Board of State Harbor Commissioners for San Francisco Harbor, and prescribing the duties of state officers in respect to such bonds; defining the duties of said Board of State Harbor Commissioners for San Francisco Harbor, in respect to said bonds and the performance of public works from the proceeds thereof; authorizing the creation of a fund for the improvement of San Francisco Harbor by the construction of wharves, piers, sea walls, State Railroad, spurs, betterments and appurtenances and necessary dredging and filling in connection therewith; providing for the purposes for which the proceeds of said bonds may be expended; providing for the incidents,

security, terms, conditions, maturity, interest, denominations, form, registration, and transfer and interchange of such bonds; providing for the payment of the interest and principal of such bonds, and for their call before maturity and the conditions upon which such calls may be made; providing for the replacement of lost, destroyed, or mutilated bonds or coupons; exempting such bonds from certain taxes, and authorizing the investment of banks, trusts, and public funds in said bonds; providing for the rights and remedies of the holders of such bonds; providing for the issuance of refunding bonds and providing for the creation of designated funds.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2140?

Amendment No. 1

In the beginning of line 14 of the title of the printed bill, strike out "performance", and insert "acquisition".

Amendment No. 2

On page 3, line 3, of said bill, after "bonds", insert "whether heretofore or hereafter issued".

Amendment No. 3

On page 3, line 5, of said bill, after "The", insert "term".

Amendment No. 4

On page 3, line 20, of said bill, after "of", insert "improvements to the San Francisco Harbor, including the".

Amendment No. 5

On page 4, line 3, of said bill, after "prepared", insert "by the State Treasurer".

Amendment No. 6

On page 4, line 38, of said bill, after "revenue", strike out "of the project".

Amendment No. 7

On page 5, line 31, of said bill, after "bonds", insert "whether heretofore or hereafter issued".

Amendment No. 8

On page 5, line 43, of said bill, after "the", insert "San Francisco Harbor and each and every".

Amendment No. 9

On page 5, line 49, of said bill, after "project", insert "and to the San Francisco Harbor".

Amendment No. 10

On page 5, line 49, of said bill, after "the", strike out "project", and insert "San Francisco Harbor".

Amendment No. 11

On page 6, lines 9, 10, and 11, of said bill, after "thereof", strike out "of any project acquired, constructed or completed from the proceeds of the sale of the bonds,".

Amendment No. 12

On page 6, line 11, of said bill, after "upon", strike out "any physical properties", and insert "the San Francisco Harbor".

Amendment No. 13

On page 6, lines 17 and 18, of said bill, after "improvements", strike out "constructed from the proceeds of the bonds".

Amendment No. 14

On page 6, line 19, of said bill, strike out "a", and insert "the San Francisco Harbor or of any".

Amendment No. 15

On page 6, line 26, of said bill, after "with", insert "the San Francisco Harbor".

Amendment No. 16

On page 6, lines 26, 27, and 28, of said bill, strike out "the services and facilities furnished from the plan or project acquired, constructed or purchased from part or all of the proceeds of the bonds,".

Amendment No. 17

On page 6, line 48, of said bill, after "clause", insert "authorizing or".

Amendment No. 18

On page 6, line 51, of said bill, after "thereof" strike out the period, and insert "and the terms and conditions upon which such additional bonds may be issued."

Amendment No. 19

On page 7, line 4, of said bill, after "on", insert "the San Francisco Harbor or on".

Amendment No. 20

On page 7, line 50, of said bill, after "may", insert "authorize any trustee appointed under Section 3323 hereof to collect, receive and hold revenues and may".

Amendment No. 21

On page 8, lines 9 and 10, of said bill, after "clause", strike out "providing".

Amendment No. 22

On page 8, lines 22 and 23, of said bill, after "clause", strike out "providing".

Amendment No. 23

On page 8, line 33, of said bill, after "coupons", insert "The seal of the Board of State Harbor Commissioners may be impressed or reproduced by facsimile on the bonds."

Amendment No. 24

On page 8, lines 34 and 35, of said bill, after "clause", strike out "providing".

Amendment No. 25

On page 8, lines 37 and 38, of said bill, after "revenues", strike out "of a project upon the basis of which revenue bonds are issued or authorized to be issued".

Amendment No. 26

On page 8, line 39, of said bill, after "revenues", strike out "of such project".

Amendment No. 27

On page 8, lines 48 and 49, of said bill, after "clause", strike out "providing".

Amendment No. 28

On page 9, line 4, of said bill, after "marketable", insert ", including provisions for the employment of independent engineers, accountants and other experts for the benefit of the holders of revenue bonds."

Amendment No. 29

On page 10, line 6, of said bill, after "bonds", insert "and may provide that the bonds shall be sold on the basis of the lowest net interest cost to the State, the coupon rates to be fixed by the successful bidder on the sale of the bonds, not exceeding the maximum rate herein provided."

Amendment No. 30

On page 10, line 7, of said bill, after "may", insert "authorized the State Treasurer to".

Amendment No. 31

On page 10, lines 18 and 19, of said bill, after "Treasurer", strike out "or the Department of Finance, or both,".

Amendment No. 32

On page 12, line 38, of said bill, after "used", strike out "solely".

Amendment No. 33

On page 12, line 39, of said bill, after "thereon", and before the period, insert "and as provided in the indenture".

Amendment No. 34

On page 13, line 4, after "warrant", and before the period, insert "subject to the terms of the indenture authorizing the issuance of revenue bonds".

Amendment No. 35

On page 13, line 5, of said bill, after "yield", insert "minimum".

Amendment No. 36

On page 13, line 9, of said bill, after "due", and before the period, insert "and also such other charges as may be provided for in the indenture".

Amendment No. 37

On page 13, lines 43 and 44, of said bill, after "the", strike out "fiscal agent", and insert "trustee".

Amendment No. 38

On page 13, line 51, of said bill, after "legal", insert ", financial".

Amendment No. 39

On page 14, line 6, of said bill, after "no", strike out "fiscal agent", and insert "trustee".

Amendment No. 40

On page 14, line 15, of said bill, after "revenues", strike out "received from the project".

Amendment No. 41

On page 14, line 23, of said bill, after "shall", strike out "prepare", and insert "provide for the preparation of".

Amendment No. 42

On page 14, line 34, of said bill, after "a", strike out "fiscal agent", and insert "trustee".

Amendment No. 43

On page 14, line 37, of said bill, after "Treasurer," strike out "on order of the State Controller,".

Amendment No. 44

On page 14, line 38, of said bill, after the second "the", insert "San Francisco".

Amendment No. 45

On page 14 of said bill, at the beginning of line 39, strike out "Revenue Bond".

Amendment No. 46

On page 14 of said bill, at the beginning of line 41, strike out "pursuant to claims filed".

Amendment No. 47

On page 14, line 42, of said bill, after "sioners", strike out "with the State Treasurer".

Amendment No. 48

On page 14, lines 46, 47, 48, 49, 50, and 51, of said bill, strike out "Moneys required to meet the cost of acquisition or construction and all expenses and costs incidental to the acquisition, construction, maintenance, furnishing and equipping of any project authorized by this chapter shall be paid from the said construction fund as herein provided upon claim filed by the Board of".

Amendment No. 49

On page 15, lines 1, 2, and 3, of said bill, strike out "State Harbor Commissioners and after audit by the State Controller in the manner provided by law and upon warrants drawn by the Controller."

Amendment No. 50

On page 15, line 5, of said bill, after "a", strike out "fiscal agent", and insert "trustee"

Amendment No. 51

On page 15, line 6, of said bill, after "then", strike out "so much of".

Amendment No. 52

On page 15, lines 6, 7, 8, and 9, of said bill, after "revenues", strike out "not otherwise prohibited by law received from the operation of any project acquired or constructed by the board under the provisions of this chapter".

Amendment No. 53

On page 15, line 12, of said bill, after "credit of the ", insert "San Francisco"

Amendment No. 54

On page 15, line 16, of said bill, after "chapter", and before the semicolon, insert "and as may be provided in the indenture, and".

Amendment No. 55

On page 15, from line 22 to line 44, inclusive, of said bill, strike out the entire section commencing with "3365", and ending with the phrase "under the provisions of this chapter."

Amendment No. 56

On page 15, line 45, of said bill, strike out "3366", and insert "3365".

Amendment No. 57

On page 15, line 46, of said bill, after "a", strike out "fiscal agent", and insert "trustee".

Amendment No. 58

On page 15, line 49, of said bill, after "the", strike out "Harbor Bond Finance Board", and insert "Director of Finance".

Amendment No. 59

On page 16, line 7, of said bill, strike out "3367", and insert "3366".

Amendment No. 60

On page 16, line 15, of said bill, strike out "3368", and insert "3367".

Amendment No. 61

On page 16, line 19, of said bill, strike out "3369", and insert "3368".

Amendment No. 62

On page 16, line 29, of said bill, strike out "3370", and insert "3369".

Amendment No. 63

On page 16 of said bill, commencing on line 32, insert

"3370 The Board of State Harbor Commissioners may appropriate out of any fund available to it sums sufficient to pay the cost of initially preparing and selling the initial issue of revenue bonds hereunder, which sums shall be repaid to the fund from which the sums were advanced out of the first proceeds of the sale of such revenue bonds."

Amendment No. 64

On page 6, line 24, of the printed bill, after "of", strike out "a '.

Amendment No. 65

On page 15, line 24, of said bill, strike out the period, and insert a comma.

Amendment No. 66

On page 15, lines 25 to 36, inclusive, of said bill, strike out "on order of the State Controller, the State Treasurer shall deposit such revenues in the State Treasury to the credit of the San Francisco Harbor Revenue Bond Fund, which fund is hereby created. The moneys remaining in such revenue fund, after providing the amount required for interest and redemption of bonds as provided in this chapter and as may be provided in the indenture, and, shall be expended for the payment of the costs of operation of the projects authorized by this chapter, including any purposes, as may be provided in the indenture, and, subject to the restrictions provided by law or the indenture, for such purposes as may be authorized by resolution of the board approved by the Harbor Bond Finance Board." and insert "and all such revenues shall be accounted for and reported monthly by the board to the State Controller. On order of the State Controller, the State Treasurer shall deposit to the credit of San Francisco Harbor Revenue Bond Fund (which fund is hereby created) such revenues or that part of such revenues as shall have been pledged by an indenture, as provided in Section 3316, to the payment of the principal of and interest on bonds issued as in this chapter provided or to any reserve or any fund created for the further protection of any such bonds. All revenues deposited to the credit of the San Francisco Harbor Revenue Bond Fund shall be applied only as provided in such indenture. All such revenues not so deposited to the credit of the San Francisco Harbor Revenue Bond Fund and all revenues remaining in said fund after all bonds issued under any indentures shall have been fully paid and discharged or provision for their payment and discharge irrevocably made shall be deposited by the State Treasurer to the credit of the San Francisco Harbor Improvement Fund provided for in Section 1706 of this code or in such other fund or funds as may be authorized or permitted by law, including any fund or funds provided for in any indenture, and subject to such restrictions as may be provided by law or by any indenture, shall be expended for the payment of the costs of operation and maintenance of the project authorized by this chapter or for any of the purposes provided by any indenture, or for such purposes as may be authorized by resolution by the board approved by the Harbor Bond Finance Board."

Amendment No. 67

On page 16, lines 22 to 29, inclusive, of said bill, strike out

"3366. After all of the revenue bonds shall have been fully paid and discharged, or provision for their payment and discharge irrevocably made, any surplus moneys derived under this act shall, subject to the limitations and restrictions in any indenture providing for the issuance of the revenue bonds, become and be the property of the Board of State Harbor Commissioners, and be used by the board for any lawful purpose."

Amendment No. 68

On page 16, line 30, of said bill, strike out "3367", and insert "3366".

Amendment No. 69

On page 16, line 33, of said bill, strike out "3368", and insert "3367".

Amendment No. 70

On page 16, line 42, of said bill, strike out "3369", and insert "3368".

Amendment No. 71

On page 16, line 45, of said bill, strike out "3370", and insert "3369".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2140 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rumford, Shaw, Silliman, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 2140 ordered enrolled.

Assembly Bill No. 2299—An act to amend Section 28117 of the Government Code, relating to compensation for public service in counties of the seventeenth class.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2299?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 28, 1951, after "Code", insert "and Section 79.50 of the Code of Civil Procedure".

Amendment No. 2

On page 1, lines 9 and 10, of said bill, as amended, strike out "three thousand dollars ($3,000)", and insert "four thousand eight hundred dollars ($4,800)".

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

Amendment No. 3

On page 2 of said bill, as amended, after line 16, insert

"SEC. 3. Section 79.50 of the Code of Civil Procedure is amended to read:

79.50. The annual salary of each of the Judges of the Superior Court in and for the County of Stanislaus is [ten thousand dollars ($10,000)] *thirteen thousand five hundred dollars ($13,500)*."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2299 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney,

McCarthy, McCollister, McFall, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 2299 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1121

Mr. Brown asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1121, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1121—An act to amend Sections 1709, 1713, 3630, 3671, 3800, 4103, 4110, 4113, 4603, 4619, 5204, 6202, 6502, 9304, and 9305 of the Corporations Code; to add thereto Section 3802; to repeal Section 9700 thereof; and to re-entitle Article 5 of Chapter 1, Part 8, Division 1, Title 1 of said code, all relating to corporations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1121?

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Assembly on April 11, 1951, strike out "Section", and insert "Sections 9003 and".

Amendment No. 2

On page 7, line 41, of said bill, as amended, strike out "Section 9700 of the Corporations Code is", and insert "Sections 9003 and 9700 of the Corporations Code are".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1121 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63.

NOES—None

Assembly Bill No. 1121 ordered enrolled.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2484—An act to amend Section 80 of the Agricultural Code, relating to district and county agricultural fairs.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2484?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 12, 1951, strike out all of line 48, and insert

"District 34 That portion of the County of Modoc not included in District 10a."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2484 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick,

Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Niehouse, Parker, Rumford, Shaw, Stanley, Stewart, Tomlinson, and Waters—60.

NOES—None.

Assembly Bill No. 2484 ordered enrolled.

Assembly Bill No. 3422—An act to amend Sections 14116, 14123, 14137, 14138, and 14142 of the Education Code, relating to the merit system for noncertificated school employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3422?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 25, 1951, after "14123," insert "14136,".

Amendment No. 2

On page 1, line 1, of the printed bill, as amended in the Senate on June 16, 1951, after "Section", insert "1 Section".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3422 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—66.

NOES—None

Assembly Bill No. 3422 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2625

Mr. Grunsky asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2625, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2625—An act to amend Sections 736 and 736a of the Political Code and Sections 41 and 61 of the Code of Civil Procedure, relating to the salaries of Justices of the Supreme Court and of the district courts of appeal.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2625?

Amendment No. 1

On page 1, lines 4 and 5, of the printed bill, as amended in the Assembly on April 12, 1951, strike out "twenty-one thousand five hundred dollars ($21,500)", and insert "nineteen thousand dollars ($19,000)".

Amendment No. 2

On page 1, lines 6 and 7, of said bill, as amended, strike out "twenty thousand dollars ($20,000)", and insert "eighteen thousand dollars ($18,000)".

Amendment No. 3

On page 1, line 9, of said bill, as amended, strike out "presiding".

Amendment No. 4

On page 1 of said bill, as amended, strike out lines 11 to 14, inclusive; and in line 15, strike out "($18,500)", and insert "seventeen thousand dollars ($17,000)".

Amendment No. 5

On page 1, line 19, of said bill, as amended, strike out "twenty-one thousand five hundred dollars ($21,500)", and insert "nineteen thousand dollars ($19,000)".

Amendment No. 6

On page 1, line 21, of said bill, as amended, strike out "twenty thousand dollars ($20,000)", and insert "eighteen thousand dollars ($18,000)".

Amendment No. 7

On page 2, line 3, of said bill, as amended, strike out "presiding".

Amendment No. 8

On page 2 of said bill, as amended, strike out lines 5 to 8, inclusive, and insert "seventeen thousand dollars ($17,000). Such sal-".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 2625 by the following vote:

AYES—Beck, Belotti, Chapel, Coats, Dickey, Dills, Hahn, Hansen, Hollibaugh, Lowrey, Munnell, Rumford, Silliman, Stewart, Tomlinson, and Mr. Speaker—16.

NOES—Babbage, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Niehouse, Parker, Shaw, Sherwin, Stanley, and Waters—51

Appointment of Committee on Conference Concerning Assembly Bill No. 2625

The Speaker announced the appointment of Messrs. Fleury, Tomlinson, and Grunsky as a Committee on Conference concerning Assembly Bill No. 2625.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3450—An act to amend Section 261a.5 of, and to add Section 261k to the Code of Civil Procedure, relating to phonographic reporters and fees payable to county clerks in connection with court proceedings.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3450?

Amendment No. 1

In line 1 and 2 of the title of the printed bill, as amended in the Assembly on June 13, 1951, strike out "amend Section 261a 5 of, and to add Section 261k", and insert "add Section 261a 8".

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 1 and 2, and insert

"SECTION 1. Section 261a.8 is added to the Code of Civil Procedure, to read:

261a.8. In each county or city and county, having a population of 300,000 inhabitants and less than 700,000 inhabitants, as determined by the 1950 federal census, the judges of the superior court in and for such county, or city and county, a majority concurring, to assist the court in the transaction of the judicial business of said court, by having performed the duties of phonographic reporters as elsewhere in this code defined, may appoint as many regular official phonographic reporters as may be necessary to report the proceedings in said court and to perform such duties, except that the number of reporters so appointed shall not exceed at any one time the number of offices of judge provided by law for said court, said reporters to hold office during the pleasure of the judges of said court, a majority concurring.

When needed in order that the judicial business of the superior court in such county, or city and county, may be diligently carried on and a particular matter or matter may proceed to trial or hearing without delay, a pro tempore official reporter may be appointed to perform the duties of a phonographic reporter in such matter or matters, or until a regular official reporter becomes available for such service. A pro tempore official reporter for such service may be appointed by the presiding judge of the court and the judge presiding in the department where such reporter will serve, but when such appointment is made for service in a contested matter, it shall be made only pursuant to a written stipulation of the parties appearing at the trial or hearing or other proceeding to be reported by such pro tempore reporter.

The salary of the regular official phonographic reporters shall the sum of seven thousand two hundred dollars ($7,200) per annum, and the compensation of official phonographic reporters pro tempore shall be at the rate of twenty-five dollars ($25) per day.

No further fee than that hereinabove provided shall be collected from, or assessed against, any party to any proceeding for the services of a phonographic reporter in taking down in shorthand the testimony and other proceedings in the trial or hearing of any matter as required by law or by order of the court; but a phonographic reporter shall be allowed, and shall receive, unless waived by him, the fees now, or that may hereafter be, allowed by law for transcribing his shorthand notes of the testimony and proceedings reported by him, and such fees for transcriptions shall be paid as provided by Section 274 of the Code of Civil Procedure and by any other law of this State pertinent to the case

The salaries in this section provided shall be paid in monthly installments out of the salary fund of the county, or city and county, and shall be allowed and audited in the same manner as other salary demands against the county, or city and county, are required by law to be allowed and audited

In addition to a fee or fees required by any other law or laws, a fee of four dollars ($4) shall be paid to the county clerk of such a county, or city and county, by each party, or jointly by parties appearing jointly, in each of the following instances.

(1) Where Section 26821 of the Government Code requires such party or parties to pay said clerk a fee for the filing of the first paper in a civil action or in a special proceeding, except in an appeal from an inferior court.

(2) Where Section 26822 to 26825, inclusive, of the Government Code requires such party or parties to pay said clerk a fee for filing papers transmitted from another court on the transfer of a civil action or special proceeding from another court, except in an appeal from an inferior court.

(3) Where Section 26826 of the Government Code requires such party or parties to pay said clerk a fee on the appearance in a civil action or special proceeding of a defendant, intervenor, respondent, correspondent or adverse party, except in an appeal from an inferior court, provided, however, if any of the parties named in this paragraph shall appear jointly they shall pay but one such additional fee of four dollars ($4) as in this section provided.

(4) Where Section 26827 of the Government Code requires such party or parties to pay said clerk a fee for the filing of a petition or other paper in a probate or guardianship matter

The fee so required shall be taxed as costs in favor of any party paying the same and to whom costs are awarded by the judgment of the court. Such fee shall not be subject to the provisions of Section 6103 of the Government Code.

The fee provided in this section shall not be required of any party who is exempted from the payment of costs by any statute other than Section 6103 of the Government Code

The county clerk shall, on or before the first day of each calendar month, transmit to the county treasurer, or city and county treasurer, all moneys paid to him under the provisions of this section during the preceding calendar month, or up to the day immediately preceding the day on which he transmits such moneys, and such moneys shall be deposited in the salary fund of said county, or city and county "

Amendment No. 3

On page 1 of said bill, as amended, strike out lines 3 to 22, inclusive; and strike out all of pages 2 and 3.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3450 by the following vote:

AYES—Belotti, Berry, Brady, Chapel, Clarke, Cloved, Coats, Collier, Condon, Connolly, Cooke, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Holthbaugh, Kelly, Kilpatrick, Lanterman, Levering, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Parker, Rumford, Sherwin, Silliman, Stewart, Tomlinson, Waters, and Mr. Speaker—49.

NOES—Beck, Luckel, and Munnell—3.

Assembly Bill No. 3450 ordered enrolled.

Assembly Constitutional Amendment No. 40—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 16 to Article XVI thereof, relating to the issuance of bonds to provide farm and home aid for veterans.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Constitutional Amendment No. 40?

Amendment No. 1

On page 1, line 14, of the printed measure, as amended in the Assembly on April 18, 1951, strike out the blank and insert "1086".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Constitutional Amendment No. 40 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Assembly Constitutional Amendment No. 40 ordered enrolled.

Assembly Bill No. 2011—An act to add Chapter 5.7, comprising Sections 2650 to 2694, inclusive, to Division 2 of the Business and Professions Code, relating to the practice of physical therapy, schools of physical therapy, and the licensing of physical therapists, and prescribing penalties for violations hereof.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2011?

Amendment No. 1

On page 3, line 19, of the printed bill, as amended in the Assembly on May 23, 1951, after "code", insert "or any initiative act".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2011 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 2011 ordered enrolled.

RESOLUTIONS

The following resolutions were offered:

By Mr. Doyle:

House Resolution No. 240

Relating to commending the Chaplain of the Assembly, The Reverend Clarence A. Kircher, and authorizing the printing of the prayers of the Assembly in book form.

WHEREAS, The Reverend Clarence A. Kircher, Chaplain of the Assembly, during the 1951 Regular Session of the Legislature, has, by his prayers each morning brought to this body valuable inspiration and guidance, and has reminded the members of their

obligation not only to their God but to their fellow men, to the State, and the Nation; and

WHEREAS, His intellectual attainments have compelled the admiration of all within his hearing and have won the personal regard of all the members; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly does hereby express to The Reverend Clarence A. Kircher its sincere appreciation for the spiritual guidance he has rendered this body during this session of the Legislature, and for the inspiration which the members have derived from his prayers; and be it further

Resolved, That the Chief Clerk is hereby authorized and instructed to have printed 350 copies of a booklet containing the prayers offered in the Assembly at this session; that he send one of said copies to each Member of the Assembly, and that he transmit the remaining copies to The Reverend Clarence A. Kircher together with an engrossed copy of this resolution.

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

By Mr. Clarke:

House Resolution No. 241

Relative to the creation of the Assembly Interim Committee on Agriculture

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

1. The Assembly Interim Committee on Agriculture is hereby created and authorized and directed to ascertain, study and analyze all facts relating to agriculture or in any way bearing upon any matter which, under the Standing Rules of the Assembly and the legislative practices thereunder would be referred to the Assembly standing Committee on Agriculture; all facts relating or in anywise appertaining to fairs and expositions, the allocation of state moneys thereto, the advisability of establishing additional agricultural fairs or other expositions; all facts relating to publicly owned lands in this State and the use, management, and control thereof and all activities connected therewith or related thereto, and the State, Federal and local Governmental relationships involved therein, including but not limited to the effect of such public acquisition, ownership and jurisdiction, upon taxes levied or leviable by the State and its local governmental agencies; and all facts relating to the recordation and registration of land titles; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the members of the Assembly standing Committee on Agriculture for this legislative session. The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the committee shall be filled by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

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

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

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

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

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

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

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

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

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

Assembly Concurrent Resolution No. 94

Has had the same under consideration, and reports the same back with the recommendation: Be adopted, and be re-referred to State Capitol Committee.

SAM L. COLLINS, Chairman

Above reported resolution ordered re-referred to the State Capitol Committee.

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

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

House Resolution No. 210	House Resolution No. 231
House Resolution No. 219	House Resolution No. 234
House Resolution No. 222	House Resolution No. 235
House Resolution No. 227	House Resolution No. 236

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

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1744

Mr. Sherwin asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1744, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1744—An act to amend Section 667 of the Elections Code, relating to precinct boards.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1744?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "relating to"; and strike out line 2, and insert "and Section 6580 of the Health and Safety Code, relating to elections."

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

Amendment No. 2

On page 1 of said bill, after line 10, insert

"SEC. 2. Section 6580 of the Health and Safety Code is amended to read:

6580. All elections of officers, after the formation of the district shall be held on the first *Monday* [Tuesday] after the *second Tuesday in September* [first Monday of November in each even-numbered year]."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1744 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse,

Parker, Porter, Rumford, Sherwin, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66.
NOES—None.

Assembly Bill No. 1744 ordered enrolled.

MOTION TO AMEND STANDING RULES OF THE ASSEMBLY

In compliance with a notice given on a previous day, Mr. McCarthy moved to amend the Standing Rules of the Assembly as follows:

I move that a new rule to be numbered 46.5 be added to the Standing Rules of the Assembly to read:

"46.5. Travel expenses of employees of Assembly committees shall be subject to Board of Control rules as applicable from time to time to state employees generally, except as follows:

a. Committee employees shall be entitled to allowances in lieu of actual expenses for mileage, hotel accommodations and meals at the rates fixed by the Board of Control from time to time in limitation of reimbursement of actual expenses of state employees generally, or at such lesser rates as may be prescribed by the employing committee.

b. Whenever a rule of the Board of Control requires approval of the Director of Finance or of the Governor with respect to any claim for expenses, such rule shall be applicable to committee employees but shall be deemed to require the approval of the Assembly Rules Committee rather than the approval of the Governor or Director of Finance.

In all other respects Board of Control rules shall govern as to the time, place and amount of expense allowable, and travel expense claims shall be submitted in form and supported by data and vouchers as required by Board of Control rules.

Mileage is an allowance in lieu of actual expenses of travel by private conveyance, and shall be allowed only to the operator of, and not to passengers in, a private vehicle. Mileage shall not be allowed in lieu of actual fare when travel is by train or other common carrier. Claims for mileage must be accompanied by the license number of the vehicle and the names of state officers and employees riding as passengers."

Mr. George D Collins seconded the motion.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stewart, Tomlinson, Waters, and Mr. Speaker—64.
NOES—None.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 61—An act relating to notaries public.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 61 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Grunsky—1.
NOES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills,

Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lauterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stewart, Tomlinson, Waters and Mr. Speaker—64.

MOTION TO AMEND STANDING RULES OF THE ASSEMBLY

In compliance with a notice given on a previous day, Mr. Silliman moved that the Standing Rules of the Assembly be amended, as follows:

I move that Rule 9 5 be added to the Standing Rules of the Assembly to read:

"9.5. All claims for expenses incurred by interim investigating committees of the Assembly shall be approved by the Committee on Rules, or its authorized representative, before such claims are presented to the Controller.

All proposed expenditures, other than expenditures of the funds of an interim investigating committee, shall be approved by the Committee on Rules or its authorized representative before such expenses are incurred, unless such expenditure is specifically exempted from the provisions of this rule by the resolution authorizing it.

No warrant shall be drawn in payment of any claim for expenses until the approval of the Committee on Rules, or its authorized representative, has been obtained in accordance with the provisions of this rule.

The Committee on Rules may adopt rules and regulations governing the letting of any contract by an interim investigating committee and may also adopt rules and regulations limiting the amount, time, and place of expenses and allowances, exclusive of salaries under three hundred dollars ($300) per month, to be paid to employees of Assembly interim investigating committees. Copies of all rules and regulations adopted pursuant to this rule shall be distributed to the chairman of every such investigating committee."

Mr. Kirkwood seconded the motion.

Motion to Amend

Mr. Geddes moved the adoption of the following amendments to the motion:

Amendments to Proposed Rule 9.5 to Be Added to the Standing Rules of the Assembly as Printed in the Assembly Journal for June 20, 1951, at Page 6012

Amendment No. 1

Strike out the first paragraph of the proposed Rule 9.5 as printed in the Assembly Journal for June 20, 1951 at page 6012 and at the beginning of the second paragraph insert

"9.5."

Amendment No. 2

In the third paragraph of the proposed rule as printed in the Assembly Journal for June 20, 1951, at page 6012, after "expenses", insert "except expenses incurred by interim investigating committees of the Assembly in accordance with special rules governing the same as provided herein".

Amendment No. 3

Strike out the fourth paragraph of the proposed Rule 9.5 as printed in the Assembly Journal for June 20, 1951, at page 6012, and insert "The Committee on Rules shall, after hearing and consultation with

chairmen of standing committees of the Assembly, propose to the Assembly for adoption rules and regulations governing the letting of any contract by an interim investigating committee or interim committee empowered to purchase or secure furnishings or supplies for the Assembly or render services thereto as well as rules and regulations providing for the time and place of expenses and allowances including per diems away from home, salaries and mileage to be paid to employees of Assembly Interim Investigating Committees and the Assembly Rules Committee.

Such rules and regulations, if approved by a vote of the majority of the elected Members of the Assembly, shall govern all interim investigating committees of the Assembly and any interim or standing committee of the Assembly to which money is made available from the Contingent Fund of the Assembly and copies of such rules and regulations shall be furnished to the chairman of each such committee.

All claims for expenses incurred by interim investigating committees of the Assembly or any other committee of the Assembly as provided herein shall be made in duplicate and after receipt by the Controller the Controller shall furnish the duplicate copy of such claim to the Committee on Rules, for filing and recording by the Rules Committee in order that the Rules Committee may keep an accurate account of the expenditures of each such committee and promptly advise the chairman thereof of any non conformity with any rule governing expenditures of the funds provided any committee of the Assembly and of the remaining balance available to the committee.

This rule shall not become effective unless the rules and regulations provided for herein shall be approved by the Assembly prior to adjournment sine die of the 1951 Regular Session of the California Legislature."

Amendments read.

Request for Unanimous Consent That Copies of Geddes Amendments to Motion by Mr. Silliman Be Multigraphed

Mr. Silliman asked for, and was granted, unanimous consent that copies of the amendments being proposed by Mr. Geddes to the motion, just offered, to amend the Standing Rules of the Assembly be multigraphed, upon recess, by the Sergeant-at-Arms, and distributed to the members prior to the afternoon session.

Request for Unanimous Consent That Proposed Amendments to Motion by Mr. Silliman Be Discussed With the Committee on Rules

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to discuss his proposed amendments with the members of the Committee on Rules, upon recess at noon.

Above motion ordered passed on file, by unanimous consent.

MOTION TO AMEND STANDING RULES OF THE ASSEMBLY

In compliance with a notice given on a previous day, Mr .Kirkwood moved to amend the Standing Rules of the Assembly, as follows:

I move to amend Rules No. 12, 14, and 15 of the Standing Rules of the Assembly, as follows:

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

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

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

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

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

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

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

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

(h) Before the commencement of any regular session of the Legislature the Chief Clerk of the Assembly shall mail to each member a blank form on which the member may indicate his committee preferences. Accompanying such blank shall be mailed a stamped envelope addressed to the Chief Clerk of the Assembly for returning such form. After their receipt, all such communications shall be delivered to the Chairman of the Interim Committee on Legislative Organization, if such a committee has been created, who shall deliver them to the Speaker immediately upon the organization of the Assembly.

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

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

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

14. The State Printer shall not charge any printing or other work to the Assembly other than provided by law or Assembly Rule, except upon a written order signed by the Chief Clerk of the Assembly and countersigned by the ~~Chairman of the Committee on Rules~~ *Speaker* or *a person designated* by the Speaker, and delivered to him prior to beginning such printing or work. All invoices for printing furnished the Assembly shall be itemized and rendered by the State Printer within 30 days after completion of said printing. When necessary, the Chief Clerk may order certain printed matter completed in advance of its regular order by the issuance of a rush order.

15. Unless otherwise restricted by law or by Assembly Rule, the style and form of all printing, the quality of paper to be used, the number of copies to be printed of each order, and the number of copies to be delivered to each member shall be decided by the Chief Clerk and approved by the Speaker or ~~the Chairman of the Committee on Rules~~ *a person designated by the Speaker* . All requests by members for additional copies of bills, documents, or other printed matter shall be referred to the Committee on Rules."

Mr. Moss seconded the motion.

By unanimous consent, motion ordered passed on file.

REPORTS OF STANDING COMMITTEES

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Senate Bill No. 41

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

LINDSAY, Vice Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 41—An act to add Part 1.5, comprising Sections 10100 to 10108, inclusive, to Division 6 of the Water Code, relating to implementation of the State Water Plan.

Bill read second time.

Consideration of Committee Amendments

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

Amendment No. 1

On page 2 of the printed bill, as amended in the Senate on June 8, 1951, strike out lines 13 to 16, inclusive, and insert "provide public agencies with such engineering plans and recommenda-"

Amendment No. 2

On page 2, lines 19 and 20, of said bill, strike out ", including the maximum development of hydroelectric power in connection therewith".

Amendment No. 3

On page 2, line 47, of said bill, strike out "Subject to the foregoing, any public".

Amendment No. 4

On page 2 of said bill, strike out lines 48 to 50, inclusive.

Amendments read, and adopted

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No 907

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

STEWART, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 907—An act to add Section 13537.5 to the Government Code, relating to the purchase of printing equipment.

Bill read second time.

Consideration of Committee Amendments

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

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Senate on June 4, 1951, strike out "The purchase, lease or hire by", and insert
"Whenever".

Amendment No. 2

On page 1, line 5, of said bill, strike out "of", and insert "requests permission to purchase, lease, or hire".

Amendment No. 3

On page 1, line 8, of said bill, strike out "with-"; strike out line 9; and in line 10, strike out "Director of Finance that", and insert "the Department of Finance shall refer such request to the State Printer for his opinion as to whether or not".

Amendment No. 4

On page 1, line 11, of said bill, strike out ", is hereby prohibited;", strike out line 12; and in line 13, strike out "acquired without a certificate", and insert
"Any equipment acquired for instruction"

Amendment No. 5

In line 2 of the title of said bill, strike out "the purchase of printing equipment", and insert "state printing and duplicating"

Amendments read, and adopted.

Bill ordered reprinted, and to third reading

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

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

Senate Bill No 1834

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

BROWN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1834—An act to add Sections 21 and 1633 to the Welfare and Institutions Code, relating to notice to probation officers in respect to juveniles.

Bill read second time, and ordered to third reading.

RESOLUTIONS

The following resolution was offered:

By Mr Dickey:

House Resolution No. 242

Relating to creating the Assembly Interim Committee on Conservation, Planning, and Public Works

WHEREAS, The increase in the population of the State has caused a rapid expansion of the population of the counties, cities and local governmental subdivisions of the State; and

WHEREAS, There is a need for careful planning to prevent future conflict between the commercial, industrial and domestic interests in the State and its counties, cities and local governmental subdivisions; and

WHEREAS, It is necessary that the Assembly be fully informed in the premises, particularly as to whether existing laws relating to the subject of Conservation, Planning, and Public Works are adequate; now, therefore, be it

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

1 The Assembly Interim Committee on Conservation, Planning, and Public Works is hereby created and authorized and directed to ascertain, study and analyze

all facts relating to the operation, effect and administration of the Conservation and Planning Act and all facts relating to or in any way bearing upon the subject matter of the recitals of this resolution, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the membership of the Assembly standing Committee on Conservation, Planning, and Public Works. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

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

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

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

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

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

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

(f) The committee and any subcommittee thereof when so authorized by the committee, may meet and act without as well as within the State of California, and is hereby authorized to leave the State in the performance of its duties.

6. The sum of thirty thousand dollars ($30,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

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

RECESS

At 11.55 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

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

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Senate Bill No. 549	Senate Bill No. 1531
Senate Bill No. 617	Senate Bill No. 1728

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

LINDSAY, Vice Chairman

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 549—An act to add Section 39 to the San Francisco Bay Area Metropolitan Rapid Transit District Act, as enacted by Chapter 1239 of the Statutes of 1949, relating to the establishment of a San Francisco Bay Area Rapid Transit Commission, and making an appropriation therefor.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

Senate Bill No. 617—An act to provide for the regulation and licensing of interference or attempts to interfere by artificial means with natural condensation and precipitation of rain, snow, moisture or water in any form contained in the atmosphere; to provide for the enforcement of said act and penalties for the violation thereof.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

Senate Bill No. 1531—An act making an appropriation for the restoration and improvement of the Benicia State Capitol Historical Monument.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

Senate Bill No. 1728—An act to amend the title and Section 4 of, and to add Section 4.3 to Chapter 1422 of the Statutes of 1945, relating to beaches, parks, and public recreation facilities

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Senate Bills Nos. 2 and 484 re-referred to the Committee on Ways and Means.

COMMUNICATIONS

By Speaker Sam L. Collins:

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

HOUSE OF REPRESENTATIVES
TOKYO, May 21, 1951

Mr. Sam L. Collins,
Speaker, House of Representatives,
California State Legislature, U. S. A.

DEAR SIR I am glad to inform you that we, members of the Japanese Congressional Agricultural Mission who had visited America with the primary object of studying agricultural legislation and administration in your Country, safely returned to Tokyo on Sunday, April 8th, after fulfilling our mission of three months

The visit was to most of us a new experience, and a most valuable one to all of us. We are very glad to have been enabled to mix with a large number of people while studying agricultural subjects and to acquire better knowledge of your Country and people in general by personally imbibing the bright spirit of democracy and its product, American social structure We are particularly impressed with the fact that individual initiative and interests are firmly consolidated with community initiative and interests through the philosophy of freedom The great success of our mission is entirely due to the kindness and assistance rendered to us both by your government and people in general We to a man respectfully express our deep feelings of indebtedness to you all.

We all join in thanking you, in particular, for your invaluable friendship and kindness manifested toward us during our visit in your Country. As you are well aware, a new Japan is now being born. Our duty is by no means easy as we have to help build

this new Japan through development of Japan's agriculture which will eventually help build a better world for us all. Our personal experiences gained in this trip will be of inestimable value in discharging this duty. We sincerely solicit you for continuing to show the same friendship and kindness as shown us to the new Japan and to her people who will soon formally rejoin the world family of nations and will positively contribute to the world peace.

Thanking you once again we remain,

Yours sincerely,

KOTARO MORI
Member of House of Representatives,
Chairman, Japanese Congressional Agricultural Mission.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 261—An act to amend Section 22257 of the Water Code, relating to water distribution by irrigation districts.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lipscomb, Lyon, Maloney, McCollister, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Rumford, Sherwin, Stanley, and Thomas—46.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 2.03 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 639

Mr. Gaffney asked for, and was granted unanimous consent to take up Senate Bill No. 639, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 639

Senate Bill No. 639—An act to amend Sections 4, 5, and 6 of the City Carriers' Act and Sections 3631, 3632, and 3634 of the Public Utilities Code, relating to city carriers.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Collier, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Luckel, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Rumford, Stanley, Stewart, and Thomas—44.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 596—An act to amend Section 696 of the Fish and Game Code, relating to striped bass.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Cloyed, Collier, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Luckel, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Rumford, Stanley, Stewart, and Thomas—45

NOES—None.

Bill ordered transmitted to the Senate.

Bill Withdrawn From Active File, and Placed on the Inactive File

Senate Bill No. 1172, on motion of Mr. Henderson.

Senate Bill No. 1198—An act to amend Section 205 of, and to add Chapter 3 to Division 2 of Part 7 of, the Labor Code, relating to labor contractors.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, and Thomas—51

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 466—An act to add Sections 5438.5, 5461, 5462, 5463, 5464, 5465, 5466, and 5467, to the Public Resources Code, relating to county recreation districts.

Bill read third time.

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

AYES—Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Shaw, Stanley, Stewart, and Thomas—50.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 975—An act to amend Sections 25351 and 26150 of the Government Code, and Sections 22137, 22173, 22174, and 22176 of the Education Code, relating to county free libraries.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Stanley, Stewart, and Thomas—54

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 70

Mr. Thomas asked for, and was granted unanimous consent to take up Senate Concurrent Resolution No. 70, temporarily passed on file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 70

Senate Concurrent Resolution No. 70—Relative to congratulating Santa Clara University on its One Hundredth Anniversary.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Waters—60

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1034—An act to add Sections 23177 and 23178 to the Government Code, relating to counties.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, and Waters—56.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1818—An act to add Section 6359.2 to the Revenue and Taxation Code, relating to the exemption of drugs from the sales and use taxes

Bill read third time.

Demand for Previous Question

Messrs. Kelly, Hansen, Lanterman, Luckel, and Silliman demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 1818.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mrs. Niehouse moved a call of the Assembly.

Motion carried. Time, 2 40 p m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Caldecott, Coats, Sam L. Collins, Kirkwood, Lindsay, Lowrey, Luckel, McCarthy, Meyers, Silliman, and Tomlinson—11.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Doyle asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 20, 1951

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

DEAR MR. OHNIMUS: You have today advised me that the Assembly has instructed you to request me to return Assembly Bill No 1464 for further consideration

Only on infrequent occasions have bills been returned after they have been delivered to this office On these few occasions the bills have been returned to permit the correction of clerical errors which have prevented the bill from correctly expressing the legislative intent. That is not the situation insofar as this bill is concerned.

While this bill was an Assembly bill, it was twice amended in the Senate and further amended in free conference The report of the free conference was adopted unanimously in both houses. The bill is, therefore, of interest not only to the Assembly, but also to the Senate If bills are to be returned at all after being delivered to this office, under the circumstances here involved it should be done only on request of both houses The Senator who handled this bill in the Senate objects to its return and there is no indication that the Senate desires the bill returned for further consideration If this bill is to be returned it should only be done in response to joint action by the Senate and the Assembly.

It should also be noted that I have had no request for a return of this bill from its first author, or for that matter from any of its authors

Sincerely,

EARL WARREN, Governor

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1625

Mr. Shaw asked for, and was granted unanimous consent to take up Senate Bill No. 1625, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1625

Senate Bill No. 1625—An act to add Chapter 6.5 to Division 2, comprising Sections 2840 to 2895 to the Business and Professions Code, relating to the practice of vocational nursing.

Bill read third time.

Motion to Amend

Mr. Shaw moved the adoption of the following amendments:

Amendment No. 1

On page 2, lines 8 and 9, of the printed bill, as amended in the Assembly on June 20, 1951, strike out "registered professional nurses teaching in practical nursing schools", and insert "practical nurses who are qualified to meet the requirements for a license under this chapter".

Amendment No. 2

On page 2, lines 16 and 17, of said bill, strike out "registered professional nurses teaching in practical nursing schools", and insert "practical nurses who are qualified to meet the requirements for a license under this chapter".

Amendment No. 3

On page 7 of said bill, between lines 29 and 30, insert

"Within four months after appointment, the board shall establish and determine the required courses of instruction and the required number of hours of instruction for an accredited school of vocational nursing."

Amendments read, and adopted.

Request for Unanimous Consent That Further Amendments Be Considered Prior to Reprinting Bill

Mr. Shaw asked for, and was granted, unanimous consent that all amendments pending at the desk be considered prior to sending Senate Bill No. 1625 to be reprinted.

Consideration of Further Amendments to Senate Bill No. 1625
Motion to Amend

Messrs. Shaw and Dunn moved the adoption of the following amendment:

Amendment No. 1

On page 5 of the printed bill, as amended in the Assembly on June 20, 1951, between lines 40 and 41, insert

"2873.5. Any person who has served on active duty in the Medical Corps of any of the Armed Forces for a period of not less than 12 months, has completed the basic course of instruction required by his particular branch of the Armed Forces, and has been honorably discharged therefrom, shall be granted a license without examination or any test, upon proof that he possesses the necessary qualifications of this section, as set forth in his service and discharge records."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Senate Bill No. 1625

Mr. Shaw asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Senate Bill No. 1625.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1706

Mr. Connolly asked for, and was granted unanimous consent to take up Senate Bill No. 1706, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1706

Senate Bill No. 1706—An act to amend Sections 13642, 14103, 14191, 14201, 14211, and to repeal Section 14212 of the Revenue and Taxation Code, relating to inheritance taxes.

Bill read third time.

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

AYES—Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Porter, Rosenthal, Silliman, Stanley, Thomas, and Tomlinson—44.

NOES—George D. Collins, Condon, Davis, Dunn, Elliott, Hagen, Henderson, and Lowrey—8.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1474

Mr. Waters asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Assembly Bill No. 1474, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: The Committee on Conference concerning

Assembly Bill No. 1474—An act providing for the constitution of the municipal court in a district embracing the Cities of Anaheim, La Habra, Brea, Placentia and Fullerton, and prescribing the number and compensation of the judges, officers and attaches thereof.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on June 7, 1951, after "of", insert "Fullerton,".

Amendment No. 2

In line 3 of the title of said bill, strike out "Placentia and Fullerton", and insert "and Placentia".

Amendment No. 3

On page 1, line 2, of said bill, after "of", insert "Fullerton,".

Amendment No. 4

On page 1, lines 2 and 3, of said bill, strike out "Placentia and Fullerton", and insert "and Placentia".

Amendment No. 5

On page 1 of said bill, strike out lines 20 and 21.

WATSON	WATERS
WILLIAMS	BABBAGE
JAMES E. CUNNINGHAM	CONRAD
Senate Committee on Conference	Assembly Committee on Conference

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

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Sherwin, Stanley, Thomas, Tomlinson, and Waters—66.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 228

Mr. Kirkwood asked for, and was granted unanimous consent to take up Senate Bill No. 228, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 228

Senate Bill No. 228—An act to amend Section 3045 of the Welfare and Institutions Code, relating to aid to the needy blind.

Bill read third time.

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

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Sherwin, Stanley, Thomas, and Waters—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 953

Mr. Kirkwood asked for, and was granted unanimous consent to take up Senate Bill No. 953, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 953

Senate Bill No. 953—An act to add Section 1552.2 to the Welfare and Institutions Code, relating to aid to needy children in respect to payments in kind.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Thomas, Tomlinson, and Waters—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 957

Mr. Kirkwood asked for, and was granted unanimous consent to take up Senate Bill No. 957, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 957

Senate Bill No. 957—An act to amend Section 1525 of the Welfare and Institutions Code, relating to residence qualifications for aid to needy children.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Thomas, Tomlinson, and Waters—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 954

Mr. Kirkwood asked for, and was granted unanimous consent to take up Senate Bill No. 954, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 954

Senate Bill No. 954—An act to add Section 1508 to the Welfare and Institutions Code, relating to aid to needy children, in respect to the obligations of step-fathers to support needy children.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Thomas, Tomlinson, and Waters—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO CORRECT JOURNAL

Mr. Fleury asked for, and was granted, unanimous consent to correct the Journal for Wednesday, June 20, 1951, page 5971, to show that Senate Bill No. 790 was passed on file, instead of passed and to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 790

Mr. Fleury asked for, and was granted unanimous consent to take up Senate Bill No. 790, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 790

Senate Bill No. 790—An act to add Sections 54468.1, 54348.1, and 54348.2 to the Government Code, relating to the securing of charges for services, facilities and water furnished by an enterprise by a lien on the lands served, and providing for the enforcement of such lien.

Bill read third time.

Demand for Previous Question

Messrs. Hinckley, Lanterman, Luckel, Cloyed, and Burke demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 790.

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

AYES—Babbage, Berry, Burkhalter, Coats, George D. Collins, Crowley, Dunn, Elliott, Fleury, Kilpatrick, Maloney, McFall, Moss, Niehouse, Parker, Porter, Rumford, Stanley, and Thomas—19.

NOES—Beck, Brady, Burke, Cloyed, Collier, Condon, Connolly, Conrad, Davis, Doyle, Erwin, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McGee, Munnell, Rosenthal, Shaw, Sherwin, Silliman, Stewart, Tomlinson, and Waters—40.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 1818

At 3.18 p.m., on motion of Mrs. Niehouse, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 1818 passed by the following vote:

AYES—Beck, Berry, Brady, Brown, Burkhalter, Chapel, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall,

McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, and Thomas—48

NOES—Babbage, Belotti, Burke, Clarke, Cloyed, Conrad, Dunn, Erwin, Evans, Fleury, Grant, Hansen, Hinckley, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, McGee, Shaw, Sherwin, Stanley, Stewart, and Waters—25

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 47: By Messrs. Gaffney, Maloney, Levering, McGee, Belotti, Berry, Brady, Burke, Chapel, Clarke, Cloyed, Collier, Conrad, Cooke, Crowley, Dills, Dolwig, Erwin, Evans, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Meyers, Morris, Munnell, Mrs. Niehouse, Messrs. Rumford, Shaw, Stanley, Stewart, Thomas, and Waters—Relative to requesting the Congress of the United States to outlaw the Communist Party.

Referred to Committee on Rules.

COMMUNICATIONS

By the Chief Clerk:

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

STATE OF CALIFORNIA
SACRAMENTO 14
INTER-DEPARTMENTAL COMMUNICATION

To: *Honorable Arthur A. Ohnimus*
Chief Clerk of the Assembly
State Capitol, Sacramento, California

Date: June 21, 1951

Subject: REPORT ON PROPERTY TAX ASSESSMENT UNDER SECTION 3693 OF THE POLITICAL CODE

From: *State Board of Equalization*
Dixwell L. Pierce, Secretary

Pursuant to Section 3693 of the Political Code, I am transmitting herewith for filing with the Assembly a copy of a survey which has been completed under that section with respect to property tax administration in Kern County.

Similar reports have been submitted to the Legislature heretofore with respect to the Counties of Riverside, Imperial, Marin, Siskiyou, Solano, Alameda, Alpine, Amador, Calaveras, Inyo, Mariposa, Mono, Placer, Santa Cruz, Santa Barbara, Lassen, Contra Costa, Plumas, Monterey, San Benito, Kings, Merced, and Sonoma.

DIXWELL L. PIERCE

Above transmitted copy of a survey pertaining to Kern County ordered referred to the Committee on Municipal and County Government.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 21, 1951

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

Senate Concurrent Resolution No. 100

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 100—Relative to a mural depicting Mission San Diego de Alcala.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 172

Mr. Connolly asked for, and was granted unanimous consent to take up House Resolution No. 172, temporarily passed on file.

Speaker Presiding

At 3.35 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

CONSIDERATION OF HOUSE RESOLUTION NO. 172

By Mr. Connolly:

House Resolution No. 172

Relative to the study of the Alcoholic Beverage Control Act

WHEREAS, There was pending before the Boards and Commissions Committee of the Assembly, Assembly Bill No. 3395 relating to the sale of beer and wine with specific reference to the wholesaler-retailer licensees, and

WHEREAS, Said committee voted that the subject matter should be studied by an interim committee and that the Assembly should, by resolution, request the State Board of Equalization to preserve the status quo with respect to any action in connection with the problem; now, therefore be it

Resolved by the Assembly of the State of California, That the Assembly interim committee which may be authorized and directed to study any aspects of the Alcoholic Beverage Control Act is also hereby authorized and directed to investigate, study, and report all facts relating to the subject matter of Assembly Bill No. 3395 of this session, relating to the problem of a beer and wine wholesale licensee delivering such products to himself as a retail licensee; and be it further

Resolved, That the State Board of Equalization is requested to preserve the status quo with respect to its deliberations on this problem pending such investigation, study, and report; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the State Board of Equalization.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Connolly moved a call of the Assembly.

Motion carried. Time, 3.45 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Grant and Silliman—2.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Silliman asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF MOTION TO AMEND STANDING RULES OF THE ASSEMBLY

Mr. Silliman asked for, and was granted unanimous consent to take up further consideration of his motion to amend the Standing Rules of the Assembly.

FURTHER CONSIDERATION OF MOTION BY MR. SILLIMAN TO AMEND STANDING RULES OF THE ASSEMBLY

The question being on the amendments previously offered by Mr. Geddes to the motion by Mr. Silliman.

Amendments Withdrawn

Mr. Geddes withdrew his amendments.

The question being on the motion by Mr. Silliman to amend the Standing Rules of the Assembly.

Substitute Motion

Messrs. Silliman and Geddes offered the following substitute motion to the motion by Mr. Silliman:

We move that Rule 9.5 be added to the Standing Rules of the Assembly to read:

"9.5. All claims for expenses incurred by interim investigating committees of the Assembly shall be approved by the Committee on Rules, or its authorized representative, before such claims are presented to the Controller.

All proposed expenditures, other than expenditures of the funds of an interim investigating committee, shall be approved by the Committee on Rules or its authorized representative before such expenses are incurred, unless such expenditure is specifically exempted from the provisions of this rule by the resolution authorizing it.

No warrant shall be drawn in payment of any claim for expenses until the approval of the Committee on Rules, or its authorized representative, has been obtained in accordance with the provisions of this rule.

The Committee on Rules ~~may~~ *shall within 30 days after final adjournment of the 1951 General Session,* adopt rules and regulations governing the letting of any contract by an interim investigating committee and ~~may~~ *shall* also adopt rules and regulations limiting the amount, time, and place of expenses and allowances, exclusive of salaries under three hundred dollars ($300) per month, to be paid to employees of Assembly Interim Investigating Committees. Copies of all rules and regulations adopted pursuant to this rule shall be distributed to the chairman of every such investigating committee, *within 30 days after such final adjournment and any amendments thereto shall be so distributed within 15 days after their adoption.*"

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

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klockstem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse,

Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stewart, Thomas, Tomlinson, and Waters—64.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 29

Mr. Babbage asked for, and was granted unanimous consent to take up Senate Bill No. 29, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 29

Senate Bill No. 29—An act to amend Sections 4965 and 7431 of the Education Code, relating to bonded capacity of school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Babbage moved the adoption of the following amendments:

Amendment No. 1

Strike out lines 4 and 5 of the title of the printed bill, as amended in the Senate on May 28, 1951, and insert "districts."

Amendment No. 2

On page 2 of said bill, strike out lines 9 to 21, inclusive, and insert "SEC. 5. *This act shall become operative on January 1, 1952.*"

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 170

Mr. Cooke asked for, and was granted unanimous consent to take up Senate Bill No. 170, out of order.

CONSIDERATION OF SENATE BILL NO. 170

Senate Bill No. 170—An act to amend Section 737ddd of the Political Code and Section 79.56 of the Code of Civil Procedure, relating to judges of the superior court.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—61.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 4 p.m., Mr. Lindsay asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Conservation, Planning, and Public Works, in Room 1760, tomorrow, Friday, June 22, at 9 a.m.

Subject: Senate Bill No 2170.

Speaker Pro Tempore Presiding

At 4.10 p.m., Hon Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1633

Mr. Grunsky asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Senate Bill No. 1633, temporarily passed on file.

UNFINISHED BUSINESS (RESUMED)

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: The Committee on Conference concerning

Senate Bill No. 1633—An act to amend Sections 9403, 9405, 9406, 9407, 9408, 9411, and 9412 of the Government Code, relating to witnesses before legislative committees.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows.

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 28, 1951, after "9408." insert "9410".

Amendment No. 2

On page 1 of said bill, strike out lines 12 to 18, inclusive, and insert "copy to the witness personally. The service must be made so as to allow the witness a reasonable time for preparation and travel to the place of attendance. Each house of the Legislature shall, by rule or resolution, prescribe the amount of the fee to which the witness shall be entitled. A witness may not demand prepayment of such witness fee at the time the subpena is served, but may demand such fee upon his appearance before the committee at the time and place specified in the subpena and prior to commencing his testimony."

Amendment No. 3

On page 2, line 45, of said bill, after the comma, insert "or upon the date to which the hearing on the order to show cause may be postponed or continued,".

Amendment No. 4

On page 3 of said bill, after line 3, insert

"SEC. 6. Section 9410 of the Government Code is amended to read

9410. A person sworn and examined before the Senate or Assembly, or any committee, cannot be held to answer criminally or be subject to any penalty or forfeiture for any fact or act touching which he is required after asserting his constitutional privilege against self-incrimination with respect thereto, to testify Any statement made or paper produced by such witness after asserting his constitutional privilege against self-incrimination with respect thereto, is not competent evidence in any criminal proceeding against the witness The witness cannot refuse to testify to any fact or to produce any paper touching which he is examined for the reason that his testimony or the production of the paper may tend to incriminate him, or to disgrace him or render him infamous Nothing in this section exempts any witness from prosecution and punishment for perjury committed by him on examination nor shall this section be construed to confer immunity upon any person with respect to testimony which is not protected under the constitutional provision against self-incrimination "

Amendment No. 5

On page 3, line 24, of said bill, strike out "SEC. 6", and insert "SEC 7".

Amendment No. 6

On page 3, line 44, of said bill, strike out "SEC. 7", and insert "SEC 8".

WEYBRET
BROWN
BURNS
Senate Committee on Conference

GRUNSKY
CONNOLLY
Assembly Committee on Conference

The roll was called, and the report refused adoption by the following vote:

AYES—Babbage, Berry, Collier, Connolly, Conrad, Erwin, Geddes, Grunsky, Hansen, Hinckley, Kelly, Lipscomb, Luckel, Maloney, Sherwin, Silliman, Stewart, and Waters—18.

NOES—Beck, Belotti, Brown, Burkhalter, Chapel, Clarke, Coats, George D. Collins, Condon, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Gubser, Hawkins, Henderson, Kilpatrick, Klocksiem, Lowrey, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, and Thomas—40

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Rosenthal asked for, and was granted, unanimous consent that his name be placed upon the roll call, on the conference committee report concerning Senate Bill No. 1633, and that he be recorded as voting "No".

Appointment of Second Committee on Conference Concerning Senate Bill No. 1633

The Speaker announced the appointment of Messrs. Condon, Dolwig, and Brown as a Second Committee on Conference concerning Senate Bill No. 1633.

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

The following resolutions were offered:

Assembly Joint Resolution No. 48: By Mrs. Niehouse, Messrs. Cloyed, Babbage, Luckel, and Stanley—Relative to memorializing to the Judiciary Committee of the House of Representatives to make a study as to the water rights to the Santa Margarita-Temecula River System.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 106: By Mrs. Niehouse, Messrs. Cloyed, Babbage, Luckel, and Stanley—Relative to directing the Joint Interim Committee on Water Problems to make a study of the water rights to the Santa Margarita-Temecula River System.

Referred to Committee on Rules.

FURTHER CONSIDERATION OF MOTION BY MR. KIRKWOOD TO AMEND STANDING RULES OF THE ASSEMBLY

Motion to Amend Standing Rules

Mr. Kirkwood moved to amend Rules No. 12, 14, and 15 of the Standing Rules of the Assembly, as follows:

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

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

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

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

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

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

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

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

(h) Before the commencement of any regular session of the Legislature the Chief Clerk of the Assembly shall mail to each member a blank form on which the member may indicate his committee preferences. Accompanying such blank shall be mailed a stamped envelope addressed to the Chief Clerk of the Assembly for returning such form. After their receipt, all such communications shall be delivered to the Chairman of the Interim Committee on Legislative Organization, if such a committee has been created, who shall deliver them to the Speaker immediately upon the organization of the Assembly.

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

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

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

14. The State Printer shall not charge any printing or other work to the Assembly other than provided by law or Assembly Rule, except upon a written order signed by the Chief Clerk of the Assembly and countersigned by the ~~Chairman of the Committee on Rules~~ *Speaker* or *a person designated* by the Speaker, and delivered to him prior to beginning such printing or work. All invoices for printing furnished the Assembly shall be itemized and rendered by the State Printer within 30 days after completion of said printing. When necessary, the Chief Clerk may order certain printed matter completed in advance of its regular order by the issuance of a rush order.

15. Unless otherwise restricted by law or by Assembly Rule, the style and form of all printing, the quality of paper to be used, the number of copies to be printed of each order, and the number of copies to be delivered to each member shall be decided by the Chief Clerk and approved by the Speaker or ~~the Chairman of the Committee on Rules~~ *a person designated by the Speaker* . All requests by members for additional copies of bills, documents, or other printed matter shall be referred to the Committee on Rules."

Mr. Moss seconded the motion.

The roll was called, and the motion to amend the Standing Rules carried by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Davis, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McFall, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Waters—60.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 65

Mr. Geddes asked for, and was granted unanimous consent to take up Senate Bill No. 65, out of order, for purpose of urgency.

CONSIDERATION OF SENATE BILL NO. 65

Senate Bill No. 65—An act to amend Sections 19601, 19601.5, 19613.1, 19613.5 of, to add Section 19601.1 to, and to repeal Sections 19613.7, 19613.5, and 19614.5 of, the Education Code, relating to the support of child care centers, making an appropriation therefor and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Waters—68.

NOES—None.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Waters—73.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER BE PRINTED IN THE JOURNAL

Mr. Geddes asked for, and was granted, unanimous consent that a letter from the Legislative Auditor be printed in the Journal, as follows:

LEGISLATIVE BUDGET COMMITTEE
CALIFORNIA LEGISLATURE
STATE CAPITOL, SACRAMENTO, CALIFORNIA, June 21, 1951

Honorable Ernest R. Geddes
Assemblyman Forty-ninth District
State Capitol, Sacramento, California

DEAR ASSEMBLYMAN GEDDES: Senate Bill No. 65, as amended in the Assembly June 19, 1951, and Assembly Bill No. 3410 as amended in the Senate June 19, 1951, are identical bills providing $5,456,856 for the support of child care centers for the 1951-52 Fiscal Year.

In our opinion the amended bills in no way mitigate against centers that provide mainly for low income families.

The limitation of state aid of a state-wide average of 25 cents per hour of attendance in nursery centers and 16 cents per hour in extended day care centers for the 1951-52 Fiscal Year is based upon the figures provided by the Department of Education. There is further provision in the bill to permit the Department of Education to allow the poorer centers as high as 30 cents per hour for the nursery care centers and 20 cents for the extended day care centers. This will permit the department to exercise administrative discretion to give the poorer centers more money than the wealthier centers. In fact, a center composed solely of parents whose incomes exceed the amounts set forth in the means test and, therefore, able to pay the full costs of the centers by parent fees could be denied state aid if the department so chose to take such action.

Sincerely yours,

A. ALAN POST
Legislative Auditor

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

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

Senate Concurrent Resolution No. 87

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

DUNN, Chairman

Above reported resolution ordered on file for adoption.

REQUEST FOR PERMISSION TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 63

Pursuant to Joint Rule No. 23, Mr. Waters requested that permission be granted him to take up Assembly Concurrent Resolution No. 63, at this time.

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—69

NOES—None.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 63

Assembly Concurrent Resolution No. 63—Relative to maps of assembly, senatorial, and congressional districts.

Resolution read.

Motion to Amend

Mr. Waters moved the adoption of the following amendment:

Amendment No. 1

On page 3, between lines 25 and 26 of the printed measure, as amended in the Assembly on June 20, 1951, insert

"11. Two hundred fifty (250) copies of a map of the County of San Mateo showing the boundaries of the assembly districts contained therein, as described in Chapter 395 of the Statutes of 1951, twenty-five (25) copies of which shall be delivered free of charge to each Member of the Legislature from San Mateo County and two hundred (200) copies of which shall be held for sale by the Division of Printing.

12. Three hundred seventy-five (375) copies of one map of the County of Alameda showing the boundaries of the assembly districts contained therein, as described in Chapter 395 of the Statutes of 1951, and also the boundaries of the congressional districts contained therein, as described in Chapter 396 of the Statutes of 1951, twenty-five (25) copies of which shall be delivered free of charge to each Member of the Legislature from Alameda County, and two hundred (200) copies of which shall be held for sale by the Division of Printing."

Amendment read, and adopted.

Resolution ordered reprinted, and re-engrossed.

REQUEST FOR PERMISSION TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 104

Pursuant to Joint Rule No. 23, Mr. Lincoln requested that permission be granted him to take up Assembly Concurrent Resolution No. 104, at this time.

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister,

McFall, McGee, Morris, Moss, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Waters—61.

NOES—None.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 104

Assembly Concurrent Resolution No. 104—Relative to the marriage of Charles W. Meyers.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—70

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT STATEMENT BE PRINTED IN JOURNAL

Mr. Dunn asked for, and was granted, unanimous consent that a statement from the Local Allocation Division of the State Department of Finance be ordered printed in the Journal, in 10 point type, as follows:

LOCAL ALLOCATION DIVISION
STATE DEPARTMENT OF FINANCE

Status of State School Building Loan Fund
June 21, 1951

Total amount of state bond issue		$250,000,000.00
Less: Amount reserved for increase in costs		25,000,000.00
		$225,000,000.00
Maximum state aid approved for future apportionments (to date), charged to 225 million		$220,169,033.08
Balance available for approval in applications		$4,830,966.92
Amount reserved for increased costs		$25,000,000.00
Maximum state aid (to date)	$1,831,499.08	
Expense of bond sales, support etc.	239,760.43	2,071,259.51
Balance available for increased costs		$22,928,740.49
Total amount of bonds sold	$150,000,000.00	
Available for apportionment		$140,000,000.00
Total conditional apportionments		84,786,664.72
		$55,213,335.28
Less: Total expense		239,760.43
Unallotted balance		$54,973,574.85

Applications	*No*	*Projects*	*State aid requested*	*District funds available*	*Total cost of projects*
Total received (6-19-51)	354	982	$246,055,563 73	$35,647,234.96	$281,702,798.69
Total acted on by board	286	868	222,000,532 16	34,528,774.74	256,529,306.90
Total pending	68	114	$24,055,031.57	$1,118,460.22	$25,173,491.79

REQUESTS FOR UNANIMOUS CONSENT TO STRIKE RESOLUTIONS FROM FILE

Mr. Dunn asked for, and was granted, unanimous consent that Assembly Constitutional Amendment No. 49 be striken from the inactive file.

Mr. Beck asked for, and was granted, unanimous consent that Assembly Constitutional Amendment No. 24 be striken from the inactive file.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON HOUSE RESOLUTION NO. 172

At 4.43 p.m., on motion of Mr. Connolly, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and House Resolution No. 172 adopted by the following vote:

AYES—Berry, Brady, Burke, Burkhalter, Chapel, Cloyed, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Gaffney, Geddes, Grant, Hahn, Hawkins, Hollibaugh, Kilpatrick, Lauterman, Levering, Lipscomb, Lyon, McCollister, McGee, McMillan, Meyers, Morris, Niebouse, Porter, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—40.

NOES—Babbage, Beck, Belotti, Brown, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Cooke, Davis, Elliott, Fleury, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McFall, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, and Sherwin—37.

RESOLUTIONS

The following resolution was offered:

By Mr. Condon:

House Resolution No. 243

Relating to an investigation of the feasibility of construction of a bridge across Suisun Bay between Cities of Martinez and Benicia

WHEREAS, The Assembly Interim Fact-Finding Committee on Regional Problems of the San Francisco Bay Area, created by House Resolution No. 162 of the 1951 Regular Session of the Legislature, has been directed to ascertain, study, and analyze facts relating to providing adequate access by highways to the San Francisco Bay region, including the construction of additional bay crossings; and

WHEREAS, A considerable flow of traffic into the San Francisco Bay region comes from United States Route No. 40 over the Carquinez Bridge into Oakland and the bay cities; and

WHEREAS, The present Carquinez Bridge is an insufficient facility to properly handle the flow of traffic into the Bay region, while the construction of a second crossing over Suisun Bay between the Cities of Martinez and Benicia would divert a substantial portion of the through traffic between the northern counties and the southern part of Alameda County, thus relieving the congestion over the Carquinez Bridge and into the Bay cities; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee Fact-Finding Committee on Regional Problems of the San Francisco Bay Area is hereby requested to investigate the economic and engineering feasibility of the construction of a bridge over Suisun Bay between the Cities of Martinez and Benicia, and to report back its findings in its final report to this Assembly.

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

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today upon afternoon recess—

Ways and Means, in Room 435.

Transportation and Commerce in Room 3184

It was announced that the following committee would hold no meeting today:

Industrial Relations.

RECESS

At 4.46 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 8 p.m.

REASSEMBLED

At 8 p m., the Assembly reconvened.

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

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

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

Assembly Concurrent Resolution No. 96—Relative to water rights to the Santa Margarita-Temecula River System;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the Twenty-first day of June, 1951, at 5 p.m.

BURKE, Chairman

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2113

Mr. Rosenthal asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2113, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2113—An act to amend Section 869 of the Penal Code, relating to the preparation of daily transcripts and the costs thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2113?

Amendment No. 1

On page 1, lines 10 and 11, of the printed bill, strike out "The magistrate", and insert "If there are two or more defendants and the magistrate finds that the interest of justice requires it, he".

Amendment No. 2

On page 1, lines 13 and 14, of said bill, strike out "together with such copies thereof as the interests of justice may require,".

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Rosenthal moved a call of the Assembly.

Motion carried. Time, 8.02 p m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Stewart, Thomas, and Waters—54.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Rosenthal asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 431

Mr. Rosenthal asked for, and was granted unanimous consent to take up Senate Bill No. 431, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 431

Senate Bill No. 431—An act to amend Sections 3211.92, 3361, and 4458 of the Labor Code, relating to volunteer fire departments and volunteer firemen.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Davis, Doyle, Erwin, Fleury, Geddes, Grant, Gubser, Hahn, Hansen, Henderson, Hinckley, Kirkwood, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, Morris, Moss, Munnell, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—46

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 432—An act to amend Section 4458 of the Labor Code, relating to volunteer firemen.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Davis, Doyle, Erwin, Fleury, Geddes, Grant, Gubser, Hahn, Hansen, Henderson, Hinckley, Kirkwood, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, Meyers, Morris, Moss, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stewart, Waters, and Mr. Speaker—45

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 990—An act to amend Sections 12897, 12898, 12899 and 12900 of the Public Utilities Code, relating to municipal utility districts.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Doyle, Erwin, Fleury, Geddes, Grant, Gubser, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stewart, Tomlinson, Waters, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 144—An act to add Section 66u to the Code of Civil Procedure, relating to the number of Judges of the Superior Court in the County of Shasta, and providing for the appointment of an additional judge and for compensation.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Davis moved a call of the Assembly.

Motion carried. Time, 8.40 p m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Beck, Brady, Burkhalter, Chapel, Cloyed, Crowley, Dills, Dolwig, Dunn, Elliott, Evans, Grunsky, Hagen, Hawkins, Henderson, Hinckley, Kirkwood, Levering, Lowrey, McCollister, McMillan, Moss, Munnell, Niehouse, Rosenthal, Silliman, and Thomas—28.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Fleury asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1524—An act to amend Sections 70 and 70.1 of the Streets and Highways Code, relating to the California Highway Commission.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McFall, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Tomlinson, and Mr Speaker—46

NOES—Hahn, Hollibaugh, Lowrey, Luckel, and Silliman—5.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1468

Mr. Connolly asked for, and was granted unanimous consent to take up Senate Bill No. 1468, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1468

Senate Bill No. 1468—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies as herein defined.

Bill read third time.

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

AYES—Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, George D Collins, Connolly, Conrad, Cooke, Davis, Doyle, Erwin, Fleury, Gaffney, Grant, Gubser, Hansen, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman,

Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—50

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 38

Mr. Lindsay asked for, and was granted unanimous consent to take up Senate Bill No. 38, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 38

Senate Bill No. 38—An act to amend Section 28154 of the Government Code and Section 454 of the Education Code, relating to compensation for public services in counties of the fifty-fourth class.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brown, Caldecott, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Davis, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stewart, Thomas, Waters, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 39

Mr. Lindsay asked for, and was granted unanimous consent to take up Senate Bill No. 39, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 39

Senate Bill No. 39—An act to amend Section 28150 of the Government Code, and Section 450 of the Education Code, relating to compensation for public services in counties of the fiftieth class.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brown Caldecott, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Davis, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 49—An act to amend Section 19.6 of the Fish and Game Code, relating to powers of the Fish and Game Commission.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser,

Hahn, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McFall, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Sherwin, Stewart, Thomas, Waters, and Mr. Speaker—43.

NOES—Cooke, Davis, Hansen, Hollibaugh, Lincoln, Lowrey, and Silliman—7.

Bill ordered transmitted to the Senate.

Senate Bill No. 1108—An act to add Section 429.6 to the Fish and Game Code, relating to the taking of fish by members of the Yurok Indian Tribe.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—61.

NOES—Davis—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 1149—An act to amend Section 439 of the Education Code, relating to school superintendents' salaries.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Davis, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McFall, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, and Thomas—46.

NOES—Geddes and Waters—2.

Bill ordered transmitted to the Senate.

Senate Bill No. 1154—An act to amend Section 28139 of, and to add Section 28159 to, the Government Code, relating to compensation for public services in counties.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—57.

NOES—Evans and Luckel—2.

Bill ordered transmitted to the Senate.

Senate Bill No. 1157—An act to amend Section 431 of the Education Code, relating to school superintendents' salaries in counties of the thirty-first class.

Bill read third time, and ordered passed on file.

Senate Bill No. 1826—An act to add Section 4.2 to an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the State and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof,

to take effect immediately," approved February 15, 1946, relating to the disposition of rentals from such housing facilities.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Parker, Porter, Rumford, Stanley, Stewart, Thomas, and Mr. Speaker—52.

NOES—Lincoln—1.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 9.10 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1809

Mr. Lowrey asked for, and was granted unanimous consent to take up Senate Bill No. 1809, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1809

Senate Bill No. 1809—An act to create a flood control district to be called Napa County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district, declaring the urgency thereof, to take effect immediately.

Bill read third time, and ordered passed on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 905—An act to amend Sections 1155, 1156, 1157, and 12420 of the Government Code, relating to pay roll deductions for public employees

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, and Waters—56

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

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

Assembly Bill No. 1785—An act to amend Sections 1063, 1090, 1091, 1195, 1223, 1224, 1457, 1458, 1505, 1530, 1531, 1532, 1651, 1750, 1958.5, 3060, 6100, 6108, 6109, 23360, 23420, 23422, 23427, 24001, 24007, 24051, 24052, 24055, 24057, 24101, 24150, 24200, 24204, 24350, 24351, 24353, 25200, 25300, 25304, 26520, 26524, 26665, 26806, 26823, 26824, 27082, 27531, 27557, 27820, 27822, 27824, 28111, 29040, 29140, 29320, 29603, 29605, 29610, 31001, 31200, 31201, 31469, 31555, 31980, 31984, 32050.5, 34856, 36501, 36505, 36523, 36601, 36602, and 53679 of, and to add Section 28101.1 to, the Government Code; to amend the headings of Article 4 of Chapter 3 of Division 1 of Title 3 and of Part 4 of Division 2 of Title 3 of the Government Code; to repeal the headings of Chapters 1 and 2 of Part 4 of Division 2 of Title 3 of the Government Code, to repeal Chapter 5 of Part 3 of Division 3 of Title 4 of the Government Code; to repeal Sections 34709, 35739, and 35845 of the Government Code; all relating to courts of justice, judicial districts, and various officers and employees thereof;

Assembly Bill No. 1937—An act to amend Section 5032 of the Education Code, relating to state school building aid;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of June, 1951, at 5 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

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

Assembly Bill No. 175—An act to amend Section 4300f of the Political Code, Section 196 of the Code of Civil Procedure, and Section 28112 of the Government Code, relating to jurors' fees;

Assembly Bill No. 250—An act to amend Sections 6, 24, 27, 37, 39, 45, 45.5, 45.6, 45.7, 45.8, 45.10, 45.11, and 46.1 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance;

Assembly Bill No. 296—An act to amend Section 2248 of the Health and Safety Code, relating to compensation and expenses of board members;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of June, 1951, at 5 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

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

Assembly Bill No. 1708—An act to repeal Article 5, Chapter 11, Division 2 of the Education Code, relating to the organization of high school districts, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1746—An act to amend Section 668 of the Elections Code, relating to precinct boards;

Assembly Bill No. 1784—An act to amend Section 755 of the Political Code and Section 58.6 of the Code of Civil Procedure, relating to the salary of the Clerk of the Supreme Court and ex officio Secretary of the Judicial Council;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of June, 1951, at 5 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

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

Assembly Bill No. 1991—An act to amend Sections 30 and 31 of the Revenue and Taxation Code, relating to the enforcement in this State of tax liabilities of other states and political subdivisions thereof and the collection in other states of taxes due this State and political subdivisions thereof;

Assembly Bill No. 2134—An act to amend Section 5550 of the Business and Professions Code, relating to the qualifications of architects;

Assembly Bill No. 2224—An act to add Sections 1303.1 and 1303.2 to the Education Code, relating to employment of superintendents of school districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of June, 1951, at 5 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

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

Assembly Bill No 2281—An act to amend Section 28135 of the Government Code, relating to compensation for public services in counties of the thirty-fifth class;

Assembly Bill No. 2283—An act to amend Section 28145 of the Government Code, relating to compensation for public services in counties of the forty-fifth class,

Assembly Bill No. 2300—An act to amend Section 767 of the Political Code and Sections 59 and 59 1 of the Code of Civil Procedure, relating to officers and employees of the Supreme Court and of the district courts of appeal;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of June, 1951, at 5 p m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

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

Assembly Bill No. 2384—An act to amend Section 28102 of the Government Code, relating to jurors' fees in superior and municipal courts,

Assembly Bill No. 2570—An act to amend Section 13653 of the Education Code, relating to the rights of terminated probationary employees,

Assembly Bill No. 2571—An act to amend Sections 13204 1 and 14495.1 of the Education Code, relating to certificated employees in military service;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of June, 1951, at 5 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2922—An act to amend Section 28121 of the Government Code and Sections 404 and 421 of the Education Code, relating to compensation for public service in counties;

Assembly Bill No. 2947—An act to add Section 5083 2 to the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 3189—An act to add Sections 5046 3 and 18744 to the Education Code, relating to school districts, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of June, 1951, at 5 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3245—An act to amend Section 13116 of, and to add Section 13117 to, the Government Code, relating to the Department of Finance, in respect to the investment of funds in certain public office buildings, and making an appropriation for the liquidation of such investment;

Assembly Bill No. 3438—An act to amend Section 1600 of the Education Code, relating to newly formed school districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of June, 1951, at 5 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1466—An act providing for the constitution of the municipal court in a district embracing the City of San Bernardino, and prescribing the number and compensation of the judges, officers and attaches thereof;

Assembly Bill No. 1561—An act to amend Section 5049 of the Education Code, relating to state school building aid;

Assembly Bill No. 1694—An act to amend Section 202 of the Education Code, relating to the distribution of surplus property of the Federal Government by the State Educational Agency for Surplus Property;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of June, 1951, at 5 p m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

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

Assembly Bill No. 1365—An act providing for the constitution of the municipal court in a district embracing the Cities of Burlingame and San Mateo, and prescribing the number and compensation of the judges, officers and attaches thereof;

Assembly Bill No. 1366—An act providing for the constitution of the municipal court in a district embracing the Cities of San Carlos and Redwood City, and prescribing the number and compensation of the judges, officers and attaches thereof;

Assembly Bill No. 1368—An act providing for the constitution of the municipal court in a district embracing the Cities of Daly City and South San Francisco, and prescribing the number and compensation of the judges, officers and attaches thereof;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of June, 1951, at 5 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

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

Assembly Bill No. 1153—An act to add Section 11128 to the Water Code, relating to use of water;

Assembly Bill No. 1229—An act to amend Section 9550 of the Business and Professions Code, relating to certificates of registration issued by the State Board of Dry Cleaners;

Assembly Bill No. 1249—An act to amend Sections 14376.3 and 14610 of the Education Code, relating to other employment by members of the State Teachers' Retirement System;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of June, 1951, at 5 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

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

Assembly Bill No. 974—An act to add Section 4557 to the Labor Code, relating to additional workmen's compensation for minors;

Assembly Bill No. 979—An act to amend Section 3710 of, to add Sections 3710.1 and 3710.2 to, and to repeal Section 3714 of, the Labor Code, relating to workmen's compensation;

Assembly Bill No. 1118—An act to amend Section 737oo of the Political Code and Section 79.41 of the Code of Civil Procedure, relating to superior judges' salaries;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of June, 1951, at 5 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

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

Assembly Bill No. 782—An act to amend Section 19a of the Penal Code, and Section 1 of an act entitled "An act to provide for the creation of a Board of Parole Commissioners for each county in this State, for the paroling of prisoners confined in county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909, relating to paroles;

Assembly Bill No. 894—An act to amend Sections 737a and 737ll of the Political Code and Sections 79.1 and 79.38 of the Code of Civil Procedure, relating to superior judges' salaries;

Assembly Bill No. 914—An act to amend Section 717.1 of the Code of Civil Procedure, relating to supplementary proceedings;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of June, 1951, at 5 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

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

Assembly Bill No. 712—An act to amend Section 265 of the Probate Code, relating to administration of estates of missing persons;

Assembly Bill No. 741—An act to add Section 7190 to the Education Code, relating to the apportionment of the State School Fund;

Assembly Bill No. 766—An act to amend Section 737bb of the Political Code, and Section 79 28 of the Code of Civil Procedure, relating to the salary of Superior Court Judge in Napa County;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of June, 1951, at 5 p m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 454—An act to amend Section 737g of the Political Code and Section 79.7 of the Code of Civil Procedure, relating to the salaries of superior court judges;

Assembly Bill No. 634—An act to amend Sections 45 5 and 78 of, and to add Sections 29 1 and 29 2 to, the Community Redevelopment Act, and to amend Sections 33882, 33911, and 33912 of, and to add Section 33279 and Article 4 of Chapter 5 of Part 1 of Division 24 to, the Health and Safety Code, relating to community redevelopment and the financing thereof and the powers of public bodies in connection therewith;

Assembly Bill No. 654—An act to repeal Section 8352 of, and to add Section 8352 to, the Revenue and Taxation Code, and to amend Section 8 of an act entitled "An act to amend Section 8352 of, and to add Sections 8354 to 8358, inclusive, to, the Revenue and Taxation Code, relating to aviation and airports and the financing thereof, including revenue from taxes on motor vehicle fuel," approved July 29, 1949, relating to appropriation of the money in the Motor Vehicle Fuel Fund, and providing for the period of operation of the code provisions relative thereto;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of June, 1951, at 5 p m

BURKE, Chairman

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 906—An act to add Section 11011 to the Government Code, relating to contracts by state agencies.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Porter, Rumford, Sherwin, Stanley, and Thomas—54.

NOES—Parker—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 1721—An act relating to a highway construction and improvement program, county and state, including cooperation with the Federal Government in furtherance of the purposes of the Federal-Aid Highway Act of 1950 and the expenditure of federal-aid moneys, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Parker, Porter, Rumford, Sillman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—58.

NOES—None.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Parker, Porter, Rumford, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 21, 1951

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

Senate Bill No. 1155—An act to amend Section 28131 of the Government Code, relating to compensation for public services in counties of the thirty-first class.

And appointed Senators Harold T. Johnson, Regan, and Mayo, as a Committee on Conference to meet a like committee from the Assembly

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

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1155

The Speaker announced the appointment of Messrs. Lindsay, Gubser, and Hansen as a Committee on Conference concerning Senate Bill No. 1155.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 21, 1951

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

Assembly Bill No. 461
Assembly Bill No. 1162
Assembly Bill No. 1530
Assembly Bill No 1903
Assembly Bill No. 2109
Assembly Bill No. 2870
Assembly Bill No 2931
Assembly Bill No 3188

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

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 21, 1951

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

Senate Bill No. 83
Senate Bill No 227
Senate Bill No 514
Senate Bill No. 598
Senate Bill No 634
Senate Bill No. 671
Senate Bill No. 848
Senate Bill No. 850
Senate Bill No. 920
Senate Bill No. 1109
Senate Bill No. 1200
Senate Bill No. 1204
Senate Bill No. 1431
Senate Bill No. 1570
Senate Bill No. 1752
Senate Bill No 1812
Senate Bill No. 1815

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

SENATE CHAMBER, SACRAMENTO, June 21, 1951

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

Assembly Bill No. 955
Assembly Bill No. 1345
Assembly Bill No. 2605
Assembly Bill No. 2936
Assembly Bill No. 3323
Assembly Bill No. 3423
Assembly Bill No. 3410

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

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

Above bills ordered to unfinished business file.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 21, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill 2327, entitled: "An act to add Sections 214.3 and 214.4 to the Revenue and Taxation Code, relating to exemptions from property taxes."

My objections to this bill are as follows:

This bill, as one of its features, adds a new section to the Revenue and Taxation Code relative to the exemption from taxation of property used for school purposes which is owned and operated by religious, hospital, or charitable funds, foundations, or corporations. The new section is phrased in the identical wording of the amendment to Section 214 of the Revenue and Taxation Code made by Assembly Bill 3383 (Chap. 242, Stat. 1951), except that this bill purports to bring within the "welfare exemption" not only property used exclusively for school purposes of less than collegiate grade but also property which is used exclusively for purposes of both schools of collegiate grade and schools of less than collegiate grade.

I understand from the Attorney General that he has issued a title for a referendum as to Assembly Bill 3383. With regard to such pending referendum, that officer advises me:

"Entirely apart from the merits of this bill, there are some serious and difficult legal questions which may arise if the referendum petition which is now being circulated with regard to Assembly Bill No. 3383 (Chapter 242) should qualify. It heretofore has been noted that this bill is phrased in the identical language of Assembly Bill No. 3383 except that it adds language with respect to property used exclusively for purposes of both schools of and less than collegiate grade. Some courts have held that an act of the Legislature which has been submitted to the people by referendum cannot, pending its approval or rejection, be amended or repealed by the Legislature, as this would tend to defeat the power of the referendum. *Re Opinion of Justices* (Maine) 174 Atl. 853; *State ex rel. Drain* vs. *Becker* (Mo.) 240 S. W. 229.

"If the referendum should qualify and if the people should *disapprove* of Assembly Bill 3383 (Chapter 242), therefore, there is considerable doubt as to whether section 2 of this bill would be effective, for if it were to be otherwise, the referendum process would be nullified.

"One further observation must be made with regard to this bill because of the possibility of the pending referendum on Assembly Bill No. 3383 (Chapter 242). If the people should *approve* Assembly Bill No. 3383, it still is not certain that section 2 of this bill would be effective. * * * Thus here, if the referendum qualifies and the people ratify the action of the Legislature, it may be held that Assembly Bill No. 3383 (Chapter 242) is the later statute and repeals by implication the inconsistent provisions added by section 2 of this bill.

"There would seem to be little question that if the referendum should qualify, litigation will necessarily result in order that the difficult questions presented may be resolved."

The right of the people to review acts of the Legislature by means of the referendum is guaranteed by the Constitution. As indicated by the Attorney General, the courts have carefully guarded that right and have disapproved anything which might tend to defeat it.

Based on these decisions of the courts, it is the opinion of the Attorney General that it is extremely doubtful that this amendment would be valid whether the people sustain or overrule the act of the Legislature in the pending referendum.

Under these circumstances, I am unable to approve this measure. Accordingly, I am returning the bill without my signature.

Respectfully submitted,

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 2327

I acknowledge receipt this twenty-first day of June, 1951, at 8:35 o'clock p.m. of Assembly Bill No. 2327 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS
Chief Clerk of the Assembly

Assembly Bill No. 2327 ordered to unfinished business file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 861—An act to add Section 20631 to the Government Code, relating to the State Employees' Retirement System in respect to withdrawal of additional voluntary contributions.

Bill read third time.

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

AYES—Babbage, Beck, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Stanley, Thomas, and Waters—59.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent that Vote Be Changed Upon Roll Call

Mr. Parker asked for, and was granted, unanimous consent that his vote be changed upon the roll call, on Senate Bill No. 861, and that he be recorded as voting "Aye" instead of "No."

Senate Bill No. 858—An act to amend Section 20131 of the Government Code, relating to State Employees' Retirement System.

Bill read third time.

Motion to Amend

Mr. Fleury moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on June 20, 1951, strike out "Section 20131 of, and to add Section 20751 (d) to," and insert "Sections 20131 and 20751 of".

Amendment No. 2

On page 1 of said bill, strike out lines 14 to 20, inclusive, and insert

"SEC. 2. Section 20751 of the Government Code is amended to read:

20751. From the General Fund in the State Treasury there is appropriated monthly to the Retirement Fund the State's contribution for.

(a) All state miscellaneous members and all other categories of members whose compensation is paid from the General Fund.

(b) All university members whose compensation is paid from funds of the university.

(c) All state miscellaneous members who are employed by the Department of Education and whose compensation is paid from the Vocational Education Fund, the Vocational Rehabilitation Fund, or any other fund received, in whole or in part, as a donation to the State under restrictions preventing its use for state contributions to the retirement system.

(d) All state miscellaneous members whose compensation is paid from moneys in the Division of Architecture Revolving Fund or the Water Resources Revolving Fund, where such moneys were derived from an appropriation from the General Fund."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1545—An act to amend Section 17 of the Alcoholic Beverage Control Act, relating to alcoholic beverage licenses.

Bill read third time.

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

AYES—Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lindsay, Lowrey, Luckel,

Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Stanley, Stewart, Thomas, and Waters—54
NOES—Lincoln—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 399

Mr. Lindsay asked for, and was granted unanimous consent to take up Senate Bill No. 399, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 399

Senate Bill No. 399—An act to amend Section 2110 of the Streets and Highways Code, relating to apportionments to counties payable from the Highway Users Tax Fund.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Munnell, Parker, Porter, Rosenthal, Rumford, Stanley, Thomas, and Waters—58.
NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1493—An act to add Section 451.1 to the Unemployment Insurance Act, relating to disability payments.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Coats, Collier, Condon, Connolly, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Stanley, Thomas, and Waters—51
NOES—Geddes—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 773—An act to amend Section 7010 of the Welfare and Institutions Code, relating to feeble-minded persons.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Cooke, Dickey, Dills, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McFall, Morris, Moss, Munnell, Parker, Porter, Rumford, Stanley, Stewart, Thomas, Tomlinson, and Waters—49
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1133—An act to amend Sections 50121, 50123, 50124, 50126, and 50128, and to repeal Sections 50122 and 50125, of the Water Code, relating to reclamation districts.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Stanley, Stewart, Thomas, and Waters—59.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 1536—An act to amend Section 1300.1 of the Agricultural Code, relating to processors of agricultural products and their agents.

Bill read third time.

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

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, and Waters—58.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 846—An act providing for surveys, plans, estimates of costs, and preliminary engineering, for a toll tube or other toll highway crossing across the Bay of San Diego from the City of San Diego to the City of Coronado, and making an appropriation therefor.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Stanley, Stewart, Thomas, and Waters—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 964—An act to add Section 8215 to the Government Code, relating to notaries public.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Thomas, and Waters—60.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1535—An act to amend Section 20804 of, to add Sections 20804.5 and 21254 to, and to repeal Section 20833 of, the Government Code, relating to the State Employees' Retirement System in respect to credit for time spent in the employment of the State or of a contracting agency prior to commencement of membership therein.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, and Waters—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 40—An act to amend Sections 737e, 737v, 737ccc of the Political Code and Sections 79.5, 79.22, and 79.55 of the Code of Civil Procedure, relating to the salaries of judges of the superior court.

Bill read third time.

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

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Stewart, and Thomas—58.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 154—An act to amend Section 737o of the Political Code and Section 79.15 of the Code of Civil Procedure, relating to salaries of Judges of the Superior Court in Kern County.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Stewart, and Thomas—55.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 328—An act to amend Section 737hh of the Political Code, and Section 79.34 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Cooke, Davis, Dickey, Dills, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Henderson, Hinckley,

Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Moss, Munnell, Porter, Rumford, Shaw, Stewart, Thomas, and Waters—50.

NOES—Luckel—1

Bill ordered transmitted to the Senate.

Senate Bill No. 574—An act providing for the designation of judicial districts and of the municipal or justice courts established therein.

Bill read third time, and ordered passed on file.

Senate Bill No. 783—An act defining and regulating the practice of shorthand reporting; creating a State Board of Examiners of Shorthand Reporters in the Department of Professional and Vocational Standards, and providing for its duties and powers; providing for the examination and certification of shorthand reporters, with the designation "certified shorthand reporter"; creating the Shorthand Reporter's Fund and making an appropriation; and prescribing penalties for violations of this act.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloved, Collier, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—57

NOES—Beck, Condon, Lowrey, and McFall—4.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 633

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

SHERWIN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 633—An act relating to Napa State Hospital and the use of money appropriated for a laundry and commissary warehouse at said institution, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1156—An act to amend Sections 737ee of the Political Code and 79.31 of the Code of Civil Procedure, relating to superior court judges' salaries.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sillman, Stanley, Stewart, Thomas, and Waters—61.

NOES—None.

Bill ordered transmitted to the Senate.

PERMISSION GRANTED FOR INTRODUCTION OF CONSTITUTIONAL AMENDMENT

Pursuant to the provisions of Rule No. 23, permission from the Speaker having been given, the roll was called, and permission granted Mr. Lincoln to introduce a constitutional amendment by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Stanley, Stewart, Thomas, and Waters—65.

NOES—None.

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

The following resolution was offered:

Assembly Constitutional Amendment No. 66: By Mr. Lincoln—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Sections 2, 15 and 17 of Article V, relating to terms of office.

Referred to Committee on Constitutional Amendments.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1302—An act providing for the constitution of the municipal court in a district embracing the City of Bakersfield, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Waters—60.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1288

Mr. McCollister asked for, and was granted unanimous consent to take up Senate Bill No. 1288, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1288

Senate Bill No. 1288—An act providing for the constitution of the municipal court in a district known and designated as the Central Judicial District of Marin County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Waters—60.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1345—An act providing for the constitution of municipal courts in districts in San Mateo County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lanterman, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McFall, Meyers, Morris, Niehouse, Porter, Rumford, Sherwin, Silliman, Stanley, Stewart, and Thomas—52.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

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

Bill read third time.

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

AYES—Babbage, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Waters—51

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 1361—An act providing for the constitution of a municipal court in a district embracing the City of Sacramento, and

prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

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

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Waters—55.

NOES—Dills and Luckel—2.

Bill ordered transmitted to the Senate.

Senate Bill No. 1480—An act to amend the Government Code and Section 737w of the Political Code, relating to salaries of superior judges.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Waters—53.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1537—An act to amend Section 737u of the Political Code, and Section 79.21 of the Code of Civil Procedure, relating to superior court judges' salaries.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Waters—56.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 10 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding

Senate Bill No. 1630—An act to amend Section 11b of the Municipal Court Act of 1925, relating to municipal courts in cities of the second and three-eights class.

Bill read third time.

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

AYES—Babbage, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Kelly, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Waters, and Mr Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1732—An act to add Section 1033.5 to the Penal Code, relating to change of venue in criminal proceedings.

Bill read third time.

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

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Senate Bill No. 572, on request of Mr. Brown.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 51—An act to add Section 8.5 to the Municipal and Justice Court Act of 1949, relating to the election of municipal court Judges in the City and County of San Francisco, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—66.

NOES—None.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, Waters, and Mr Speaker—66

NOES—None

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Mr. Tomlinson:

House Resolution No. 244

Relative to directing the Assembly Interim Committee on Public Health to make a study

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Public Health is hereby authorized and directed to ascertain, study, and

analyze all facts relating to the subject matter expressed in House Resolution No. 199 of this session and to report thereon to the Legislature at its 1953 General Session.

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

By Mr. Tomlinson:

House Resolution No. 245

Relative to directing the Assembly Interim Committee on Industrial Relations to make a study

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Industrial Relations is hereby authorized and directed to ascertain, study, and analyze all facts relating to the subject matter expressed in House Resolution No. 206 of this session and to report thereon to the Legislature at its 1953 General Session.

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

By Mr. Tomlinson:

House Resolution No. 246

Relative to directing the Assembly Interim Committee on Public Utilities and Corporations to make a study

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Public Utilities and Corporations is hereby authorized and directed to ascertain, study, and analyze all facts relating to the subject matter expressed in House Resolution No 176 of this session and to report thereon to the Legislature at its 1953 General Session.

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

By Mr. Tomlinson:

House Resolution No. 247

Relative to directing the Assembly Interim Committee on Social Welfare to make a study

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Social Welfare is hereby authorized and directed to ascertain, study, and analyze all facts relating to the subject matter expressed in House Resolution No. 188 of this session and to report thereon to the Legislature at its 1953 General Session.

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

By Mr. Tomlinson:

House Resolution No. 248

Relative to directing the Assembly Interim Committee on Revenue and Taxation to undertake an investigation

Resolved by the Assembly of the State of California, That in addition to the duties imposed upon it by the resolution creating it, the Assembly Interim Committee on Revenue and Taxation shall ascertain, study, and analyse all facts relating to the matters set forth in House Resolution No. 229, introduced at this session of the Legislature, and report to the Legislature at its 1953 General Session.

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

By Mr. Tomlinson:

House Resolution No. 249

Relative to directing the Assembly Interim Committee on Finance and Insurance to undertake a special investigation

Resolved by the Assembly of the State of California, That in addition to any other duties imposed upon it by the resolution creating it, the Assembly Interim Committee on Finance and Insurance shall ascertain, study, and analyze all facts relating to the subjects expressed in House Resolution No 52 of this session of the Legislature, and report to the Legislature at its 1953 General Session

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

By Mr. Tomlinson:

House Resolution No. 250

Relative to directing the Assembly Interim Committee on Governmental Efficiency and Economy to undertake an investigation

Resolved by the Assembly of the State of California, That in addition to the duties imposed on it by the resolution creating it, the Assembly Interim Committee on Governmental Efficiency and Economy is authorized and directed to ascertain,

study, and analyze all facts relating to the subject matter expressed in House Resolution No. 159 of this session of the Legislature and to report to the Legislature at its 1953 General Session.

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

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 96—Relative to congratulating the City and County of San Bernardino on the occasion of the Centennial Festival.

Resolution read.

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

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—62.

NOES—None

Resolution ordered transmitted to the Senate.

Senate Bill No. 736—An act to amend Section 810.5 of the Agricultural Code, relating to asparagus standards.

Bill read third time.

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

AYES—Babbage, Beck, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Regan, Hatfield, and Watson as a Committee on Conference concerning:

Assembly Bill No. 2625—An act to amend Sections 736 and 736a of the Political Code and Sections 41 and 61 of the Code of Civil Procedure, relating to the salaries of justices of the Supreme Court and of the district courts of appeal.

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

SENATE CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 2307—An act to amend Sections 208 and 209 of the Unemployment Insurance Act, relating to disability benefits.

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

Assembly Bill No. 2307 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Brown, Mayo, and Watson as a Committee on Conference concerning:

Assembly Bill No. 1967—An act to amend Section 428 of the Fish and Game Code, relating to fishing licenses.

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

SENATE CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators O'Gara, James E. Cunningham, and Mayo as a Committee on Conference concerning:

Assembly Bill No. 1490—An act to amend Section 8 of the Dangerous Weapons Control Law, relating to the issuance of licenses to carry concealed pistols, revolvers and other firearms.

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

SENATE CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1771—An act to amend Sections 97, 150, 230, 325, 337, 384a, 597f, 599a, 682, 726, 808, 817, 859, 889, 890, 1143, 1203.02, 1203.1, 1203.12, 1278, 1298, 1309, 1327, 1382, 1391, 1426, 1427, 1428, 1431, 1432, 1432.1, 1438, 1458, 1459, 1461a, 1466, 1488, 1529, 2623, 4022, 1269b, and 1426a of the Penal Code; to amend the headings of Title 11 of Part 2 and of Chapter 1 of Title 11 of Part 2 of the Penal Code; and to repeal Section 1461 of the Penal Code; all relating to courts of justice, various officers thereof, and judicial districts.

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

Assembly Bill No. 1771 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1474—An act providing for the constitution of the municipal court in a district embracing the Cities of Anaheim, La Habra, Brea, Placentia and Fullerton, and prescribing the number and compensation of the judges, officers and attaches thereof.

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

Assembly Bill No. 1474 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 1633—An act to amend Sections 9403, 9405, 9406, 9407, 9408, 9411, and 9412 of the Government Code, relating to witnesses before legislative committees.

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

SENATE CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Watson, Hatfield, and Williams as a Second Committee on Conference concerning:

Senate Bill No. 1633—An act to amend Sections 9403, 9405, 9406, 9407, 9408, 9411, and 9412 of the Government Code, relating to witnesses before legislative committees.

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

RESOLUTIONS

The following resolution was offered:

By Mr. Munnell:

House Resolution No. 251

Relative to directing the Assembly Interim Committee on Revenue and Taxation to study certain facts relating to liquor taxation

WHEREAS, The cost of State Government is necessarily increasing, and it is deemed advisable to allot the supporting taxes in the most equitable means practical; and

WHEREAS, California has the lowest liquor tax rates in the Nation; and

WHEREAS, There have been no major increases in the state liquor taxes for over 15 years; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Revenue and Taxation is hereby authorized and directed to ascertain, study and analyze all facts relating to (a) California's liquor tax structure in relation to those of other states of the United States,

(b) The retail price rates of liquor with respect to the amount of liquor tax in each state; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

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

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 963—An act to add Section 11011 to the Government Code, relating to the payment of commissions to licensed real estate brokers upon the sale of state-owned land.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brady, Brown Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Lanterman, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnel, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Waters, and Mr. Speaker—59.

NOES—Burke, Condon, Elliott, Hahn, Kilpatrick, Kirkwood, Lincoln, Lowrey, and Thomas—9.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

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

House Resolution No. 244
House Resolution No. 245
House Resolution No. 246
House Resolution No. 247
House Resolution No. 248
House Resolution No. 249
House Resolution No. 250

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

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

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

House Resolution No. 232

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

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

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

House Resolution No. 181
House Resolution No. 203
House Resolution No. 204

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

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file.

EXPLANATION OF ABSENCE

I have been absent from the Assembly Chamber for several hours because of legislative duties in the Senate which necessitated my attention.

CHARLES EDWARD CHAPEL

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 91

Mr. Lowrey asked for, and was granted unanimous consent to take up Senate Concurrent Resolution No. 91, temporarily passed on file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 91

Senate Concurrent Resolution No. 91—Relative to the Joint Interim Committee on Agriculture and Livestock Problems.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1637

Mr. Doyle asked for, and was granted unanimous consent to take up Senate Bill No 1637, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1637

Senate Bill No. 1637—An act to provide for the interchangeable use of single-trip beer cartons and to add Section 53.5 to the Alcoholic Beverage Control Act, relating to use of cartons.

Bill read third time.

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

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—62

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 77

Mr. Geddes asked for, and was granted unanimous consent to take up Senate Bill No. 77, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 77

Senate Bill No. 77—An act to amend Section 11622 of the Insurance Code, relating to insurance.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 871

Mr. Hagen asked for, and was granted unanimous consent to take up Senate Bill No. 871, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 871

Senate Bill No. 871—An act to amend Section 209 of the Penal Code, relating to kidnaping and the punishment therefor.

Bill read third time.

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

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.
NOES—Lowrey—1

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1528

Mr. Davis asked for, and was granted, unanimous consent to take up Senate Bill No 1528, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1528

Senate Bill No. 1528—An act to amend Sections 9351, 9355, 9359, and 9359.1 of the Government Code, relating to the retirement of Legislators and other state elective officers.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—71.
NOES—Burkhalter, Lowrey, and Silliman—3.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT EXPLANATION OF SENATE BILL NO. 1528 BE PRINTED IN JOURNAL

Mr. Maloney asked for, and was granted, unanimous consent that the following explanation, just given by Mr. Davis, relative to Senate Bill No. 1528, be ordered printed in the Journal:

Explanation by Mr. Davis Relative to Senate Bill No. 1528

Senate Bill No. 1528 is a bill to clarify and straighten out some of the sections of the Legislators' Retirement Act. The bill makes one or two changes in policy, as follows:

It provides that present member excluded no Member of the Legislature may enjoy retirement privileges unless that member has served a minimum of six years. If the member has served less than six years, he will be reimbursed for any money paid into the fund. Under the present law a Member of the Legislature can retire with only two years of service. There was one case where a former Member of the Legislature paid only $96 into the fund, or 4 percent on two years' salary at $100 per month, and because he was more than 63 years of age he was able to retire on $30 per month for life. While this bill does not take away the right of that member to continue to draw the $30 per month for life, we believe that if the Legislators' Retirement System is to be preserved, in the future a minimum must be set on the time that a member serves in the Legislature and is able to retire.

Section 1 of the act spells out that a four-year term in the Senate shall mean four calendar years, and a full term in the Assembly shall be deemed to constitute two calendar years, and a full term served by an elective officer of the State whose office is provided for by the Constitution shall be deemed to constitute four calendar years. This is necessary because under the present law a Member of the Legislature may retire at the end of 20 years, regardless of age, and the question has arisen whether or not a member taking office on the first Monday in January, which may in some cases be the eighth day of January, and if at the end of 20 years the first Monday in January did fall on the second day of January, it might be held that he had served six days less than the full 20 years.

The bill also provides that a person shall have 30 days after he ceases to be a Legislator to apply for the retirement. Section 4.5 clarifies the act to provide that a person who once served in a constitutional office and later served as a Member of the Legislature could count both services toward retirement, and the reverse where a Member of the Legislature is appointed or elected to a constitutional office.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Senate Bill No. 2	Senate Bill No. 729
Senate Bill No. 116	Senate Bill No. 847
Senate Bill No. 300	Senate Bill No. 949
Senate Bill No. 356	Senate Bill No. 1054
Senate Bill No. 512	Senate Bill No. 1093
Senate Bill No. 549	Senate Bill No. 1219
Senate Bill No. 617	Senate Bill No. 1671
Senate Bill No. 700	Senate Bill No. 1687

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

SHERWIN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 2—An act to amend Section 356 of the Streets and Highways Code, relating to state highways.

Bill read second time, and ordered to third reading.

Senate Bill No. 116—An act to amend Sections 270 and 278 of the Vehicle Code, relating to operators' and chauffeurs' licenses.

Bill read second time, and ordered to third reading.

Senate Bill No. 300—An act to amend Sections 5153.5, 7102.1, and 7104 of the Education Code, relating to the excess cost of educating mentally retarded pupils.

Bill read second time, and ordered to third reading.

Senate Bill No. 356—An act authorizing the Director of Finance to grant certain rights of way to the City of Berkeley and to pay the City of Berkeley the costs incurred by that city in the widening and paving of certain streets in exchange for certain property, and making an appropriation therefor

Bill read second time, and ordered to third reading.

Senate Bill No. 512—An act making an appropriation to the Department of Agriculture for completing construction of the Poultry and Animal Disease Diagnostic and Testing Laboratory at Petaluma.

Bill read second time, and ordered to third reading.

Senate Bill No. 549—An act to add Section 39 to the San Francisco Bay Area Metropolitan Rapid Transit District Act, as enacted by Chapter 1239 of the Statutes of 1949, relating to the establishment of a San Francisco Bay Area Rapid Transit Commission, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

Senate Bill No. 617—An act to provide for the regulation and licensing of interference or attempts to interfere by artificial means with natural condensation and precipitation of rain, snow, moisture or water in any form contained in the atmosphere; to provide for the enforcement of said act and penalties for the violation thereof.

Bill read second time, and ordered to third reading

Senate Bill No. 700—An act to add Section 5500 5 to the Labor Code, relating to workmen's compensation for industrial disease.

Bill read second time, and ordered to third reading.

Senate Bill No. 729—An act to amend Section 2715 and 2713 of the Business and Professions Code, relating to nursing education and directories of nurses.

Bill read second time, and ordered to third reading.

Senate Bill No. 847—An act to amend Section 496 of the Streets and Highways Code, relating to the State Highway System

Bill read second time, and ordered to third reading.

Senate Bill No. 949—An act to repeal Sections 1510, 1511, and 1512 of the Welfare and Institutions Code, and to add Sections 1510, 1511, 1511 3, 1511 5, 1511.7, and 1512 thereto, relating to aid to needy children, in respect to the amount of aid

Bill read second time, and ordered to third reading.

Senate Bill No. 1054—An act to amend Section 11200 of, and to add a new Article 9.5 to Chapter 2, Part 3, Division 6, and to amend Sections 11700, 11701, and 11702, of the Water Code, relating to the Central Valley Project; authorizing certain investigations, studies, and

preparation of plans and specifications for purposes thereof, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

Senate Bill No. 1093—An act to amend Sections 1510, 1512, and 1554 of the Welfare and Institutions Code, relating to aid to needy children, and making an appropriation.

Bill read second time, and ordered to third reading.

Senate Bill No. 1219—An act to amend Section 25301 of the Corporations Code, relating to the salary of the Commissioner of Corporations.

Bill read second time, and ordered to third reading.

Senate Bill No. 1671—An act to add Chapter 5 to Division 2 of the Health and Safety Code, relating to the regulation of the humane use of animals for diagnosis and treatment of human and animal diseases, for research in the advancement of veterinary, dental, medical and biologic sciences, animal and human nutrition, improvement and standardization of laboratory procedures, and to provide for the issuance, suspension and revocation of licenses by the State Department of Public Health, relating to the use of animals for medical research, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

Senate Bill No. 1687—An act providing for the study of a night law course in the City of Sacramento, and the experimental conduct of such a course, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 144

At 10.32 p.m., on motion of Mr. Davis, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 144 passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—59.

NOES—Burke, George D. Collins, Cooke, Doyle, Geddes, Hahn, Luckel, and Morris—8.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1681

Mr. Davis asked for, and was granted unanimous consent to take up Senate Bill No. 1681, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1681

Senate Bill No. 1681—An act making an allocation from the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by

storms or floods and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stewart, Thomas, Tomlinson, and Waters—62.
NOES—None.

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

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stewart, Thomas, Tomlinson, and Waters—62.
NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. McCarthy:

House Resolution No. 252

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and is hereby authorized to act as the authorized representative of the Committee on Rules pursuant to Rule 95 of the Standing Rules of the Assembly for the purpose of approving all long distance telephone calls and telegrams, and be it further

Resolved, That wherever by any resolution of this Assembly amounts are allocated from the Contingent Fund to be expended by the Chief Clerk he is hereby designated to act as the authorized representative of the Committee on Rules for the purpose of making such expenditures as may be authorized by said resolution without the prior approval of the Committee on Rules

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

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 255

Mr. Dunn asked for, and was granted unanimous consent to take up Senate Bill No. 255, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 255

Senate Bill No. 255—An act to add Sections 2103.1 and 8162 to the Education Code, relating to the Public School System.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niebouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—73
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 950

Mr. Kirkwood asked for, and was granted unanimous consent to take up Senate Bill No. 950, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 950

Senate Bill No. 950—An act to amend and renumber Section 1523.5 of the Welfare and Institutions Code, as added thereto by Chapter 709 of the Statutes of 1951, to be Section 1552.4 thereof, relating to aid to needy children.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Waters, and Mr Speaker—69

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1227

Mr. Erwin asked for, and was granted unanimous consent to take up Senate Bill No. 1227, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1227

Senate Bill No. 1227—An act to amend Section 19627 of the Business and Professions Code, relating to the state revenue derived from horse racing licenses.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—57.

NOES—Beck, Brady, Burkhalter, George D. Collins, Condon, Cooke, Dunn, Kirkwood, Lincoln, Luckel, McCarthy, McGee, Rosenthal, Rumford, and Shaw—15.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

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

House Resolution No. 252

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

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR SPEAKER: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 69
Senate Concurrent Resolution No. 77
Senate Concurrent Resolution No. 80

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

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR SPEAKER: Your Committee on Ways and Means, to which were referred:

Senate Bill No. 484
Senate Bill No. 1564
Senate Bill No. 1838

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

SHERWIN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 484—An act making an appropriation for support of Grand National Junior Livestock Exposition, No. 1-A District Agricultural Association.

Bill read second time, and ordered to third reading.

Senate Bill No. 1564—An act providing for research in reducing sea water to water suitable for domestic and agricultural uses in mass quantities and at low cost, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

Senate Bill No. 1838—An act to add Sections 37 and 38 to the Construction and Employment Act, relating to the allocation of funds to cities, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2113

At 10.55 p.m., on motion of Mr. Rosenthal, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2113 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—66.

NOES—None

Assembly Bill No. 2113 ordered enrolled.

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

Tomorrow, Friday, June 22d, at 9 a.m.—

Rules, in Lounge Room.

FINAL REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON STATE-FEDERAL COOPERATION IN THE DISCOVERY, PRODUCTION, TRANSPORTATION, REFINING, AND USE OF PETROLEUM OIL AND ITS PRODUCTS

LETTER OF TRANSMITTAL

May 1, 1951

HON. SAM L. COLLINS, *Speaker*
California Assembly,
State Capitol Building,
Sacramento, California

DEAR SPEAKER COLLINS: Attached hereto is the Report of the California State Assembly Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum, created by House Resolution No. 195—1949 Session.

Respectfully submitted,

G. DELBERT MORRIS, Chairman
FRANCIS DUNN, JR., Member
JONATHAN J. HOLLIBAUGH, Member
SAM L. COLLINS, Member
CARLEY V. PORTER, Vice Chairman

PRESENT PERSONNEL OF THE COMMITTEE

Pursuant to the resolution creating the committee the committee was established with the following membership:

Hon. G. Delbert Morris, Chairman, Los Angeles, California
Hon. Francis Dunn, Jr., Oakland, California
Hon. Jonathan J. Hollibaugh, Huntington Park, California
Hon. Sam. L. Collins, Fullerton, California
Hon. Carley V. Porter, Compton, California

INTRODUCTION

Due to various changes in the personnel of this committee, including the resignation of the two previous chairmen, the present chairman and vice chairman did not assume those positions until the convening of this present session of the Legislature.

Upon examining into the progress made thus far by the committee towards fulfilling the provisions and directives contained in the resolution passed by the Legislature at the 1949 Session, it was learned that due to the changes in the personnel and chairmanship of the committee, as stated above, certain investigations and other work begun by the committee were being held in abeyance or had been suspended by the last chairman, pending the appointment of a new chairman at this session. For this reason the committee deemed it best to finish these investigations, as well as the other work commenced, to the end that the directives of the Legislature might be successfully complied with and the Members of the Legislature informed as to the present condition and status of the grants of tide, submerged and reclaimed lands which the Legislature had from time to time made to the political subdivisions of the State.

While no formal hearings were held by the committee the members of the committee did meet with each other from time to time while they were engaged on other state business, and while attending other committee meetings, and on such occasions had informal discussions on the subject matter contained in this report and so were able to be in agreement as to the findings, conclusions and recommendations contained in this report. By using this method all of the material and matter contained in this report were obtained without any of the expense and costs that would have attended the holding of public hearings.

The committee wishes to acknowledge and is greatly appreciative of the splendid help and cooperation it was given at all times by the previous chairmen of this committee, the Hon. Ralph C. Dills, now Justice of the Peace in the City of Compton, and by the Hon. Carl Fletcher, now Councilman in the City of Long Beach; as well as the work done in completing the investigations and other work leading up to the compiling of the material and other facts contained in this report by Raymond R. Kahl, investigator for this committee since its creation by the Legislature.

TEXT OF RESOLUTION CREATING COMMITTEE

The text of the resolution creating the Assembly Committee of the California State Legislature on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum follows:

HOUSE RESOLUTION No. 219

Relative to the creation of the Assembly Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum

WHEREAS, An Assembly interim committee on the subject of this resolution was first created in 1943, and committees thereon have subsequently been created; and

WHEREAS, There is a continuing need for legislative investigation, study, and fact-finding in this field, now, therefore, be it

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

1. The Assembly Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum Oil and Its Products is hereby created and authorized and directed to ascertain, study, and analyze all facts relating to

(a) The subject (within the scope of legislative regulation and control) of attaining maximum efficiency and minimum waste at all the various phases of the discovery, production, transportation, refining, and use of oil, gas, and other hydrocarbon substances, including production thereof from lands owned by the State, public agencies, and political subdivisions, cooperating therein to the fullest extent in every way with federal agencies; and

(b) The title of the State of California and its grantees in and to the tide, submerged and reclaimed lands lying within its borders and adjacent to its seacoast, the use, administration, and management thereof by the State and its grantees, any attacks by federal officials relating thereto, litigation with reference thereto, and legislation pending in Congress affecting such title, and any and all matters relating thereto or connected therewith or which affect the interests of the State therein; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the report its recommendations for appropriate legislation.

2. The committee shall consist of the Speaker of the Assembly and six Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1949 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

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

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

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

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

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To meet at the State Capitol or at any other place in this State or within the United States.

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

6. The sum of twelve thousand five hundred dollars ($12,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

(Resolution read, as amended. The Assembly Journal, June 20, 1947.)

TEXT OF RESOLUTION CONTINUING COMMITTEE

1951 Session

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 28

Relative to the continuance of Assembly interim committees

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

1. Each committee previously created by the Assembly of California and in existence on January 7, 1951, except the Assembly Legislative Process Committee which was continued as an interim committee by House Resolution No. 16, adopted January 8, 1951, is continued as an Assembly committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session Vacancies occurring or existing in the membership of each committee shall be filled by the appointing power

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

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

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

4 The unexpended balance of the money heretofore made available to each such committee continued by this resolution shall continue to be available for the expenses of the committee to which it was heretofore available and the members thereof and for any charges, expenses, or claims each such committee may incur under this resolution, to be disbursed in the manner heretofore provided

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No 28, at this time, without reference to committee or file.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Cloyed, Collier, Geo D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—72.

NOES—None

NECESSITY OF FACTUAL SURVEY

The presence of valuable petroleum deposits beneath tide, submerged, and reclaimed lands and the current controversy between state and federal authorities as to the ownership of such lands has made it imperative that all the facts as to these lands be gathered and made available. The committee authorized the chairman to communicate with every political subdivision to which grants of land have been made since 1851 and to gather data of significance on the administration, use, development, or leasing of such lands.

It has been the practice of the State of California for almost 100 years to grant marsh, tide, submerged, and reclaimed lands to municipal corporations and other political subdivisions in trust in order to promote or advance navigation, harbor development, and other proper public purposes No adequate survey of the scope, desirability, or worthwhile results of this practice of granting state lands has ever been made. The committee has had neither the time nor the technical assistance to complete such a survey and therefore recommends that this matter deserves further, intensive study on the part of the Legislature. The need of such information in order to protect the State's resources in petroleum and to safeguard other paramount public interests in obvious.

STATUTES GRANTING TIDE, SUBMERGED, AND RECLAIMED LANDS—No. 9958

1851 37: 305 Martinez
1851 41· 307 San Francisco
1855. 187: 239 Benicia
1857: 82. 76 Eureka
1857: 132: 155 Sacramento
1867–8 210 202 Monterey
1867–8 299 335 Crescent City
1869–70 137 131 Crescent City
(Amends 1867 Act)
1871–2 263.362 San Bernardino
1871–2:490.722 San Francisco
1871–2 564 825 Marysville
1873–4 113.132 Oakland
1893: 24· 42 San Mateo County
1893. 195. 277 Sonoma County
1909: 390: 665 Oakland
1911: 654 1254 Oakland
1911 656 1256 Los Angeles
1911· 657·1258 Oakland
1911. 676:1304 Long Beach
1911 700 1357 San Diego
1913· 77 77 San Diego
(Amends 1911 Act)
1913: 310· 575 Vallejo
1913: 317: 605 Richmond
1913. 344: 699 Arcata
1913 345. 701 South San Francisco
1913: 347: 705 Berkeley
1913: 348: 707 Alameda
1915 57. 62 Redondo Beach
1915· 438: 724 Eureka
1915: 534: 901 Berkeley
(Amends 1913 Act)
1913: 535 904 Burlingame
1915: 536: 906 San Mateo
1915: 676 1323 San Diego
(Amends 1911 Act)
1917: 28. 18 National City
1917: 59: 63 Oakland
(Amends 1911 Act)
1917 77 89 Venice
1917· 78. 90 Santa Monica
1917: 115 159 Los Angeles
(Amends 1911 Act)
1917: 542: 708 Arcata
1917 594: 907 Alameda
(Amends § 1, Repeals § 2, 1913 Act)
1917 596. 915 Berkeley
(Repeals § 2, 1913 Act)
1917 598. 916 San Diego
(Amends 1911 Act)
1919: 89 133 Richmond
(Authorizing lease of prior grants)
1919. 211: 310 Albany
1919 479. 941 Hermosa Beach
1919 494 1011 Newport Beach
1919 515.1087 Emeryville
1919 516·1088 Oakland
(Amends 1911 and 1917 Acts)
1919 517 1089 Berkeley
(Amends 1913 Act)
1919 526 1138 Orange County
1919· 669 1359 Monterey
1921: 768 1327 Los Angeles City
1923· 46 81 National City
1923: 49. 85 Coronado
1923· 83: 158 San Rafael
1923 174 416 Oakland
1923. 359. 743 San Francisco
1925· 50 112 National City
(Amends 1923 Act)
1925: 56· 129 South San Francisco
1925 78: 181 Santa Barbara
1925 102· 235 Long Beach
1925: 120· 268 Chula Vista
1925: 417: 848 Vallejo

1927: 70: 125 Newport Beach
1927. 187: 343 Eureka
1929. 50: 117 Laguna Beach
1929. 137: 254 Carmel Sanitary District
1929: 442: 807 Martinez
1929: 574: 974 Newport Beach
1929: 575· 975 Orange County
(Amends 1919 Act)
1929: 651.1085 Los Angeles
1929: 681 1172 Coronado
(Amends 1923 Act)
1929: 778:1550 San Diego (City and County)
1929: 813:1704 Newport Beach
1929: 820 1742 San Diego
1931: 621 1346 Oakland
1931. 627·1352 San Francisco
1931: 690·1428 Pacific Grove
1931· 846·1742 Santa Barbara County
1931 937:1943 San Diego
1933. 245 774 San Mateo
1933· 688:1765 San Diego
1933: 849:2217 Coronado
(Amends 1923 Act)
1933· 912·2366 San Francisco
1935. 158 793 Long Beach
(Amends 1925 Act)
1935· 213: 869 San Buenaventura
1935· 231: 910 Pacific Grove
1935: 379·1330 Richmond
1935· 437·1484 San Francisco
1935 687 1876 Santa Cruz
1937. 13. 74 Santa Barbara
(Amends 1925 Act)
1937· 45 115 Oakland
1937: 96· 335 Oakland
(Adds Sec. to 1911 Act)
1937 214 510 City of Pittsburg
1937 343· 752 Oakland
1937: 365· 783 Santa Barbara
(Amends 1925 Act)
1937· 908·2500 Oakland
(Amends 1931 Act)
1939: 143:1258 Oakland
1940 (5th Ex. Sess.): 4: 379 San Francisco
(Amends and adds to 1933 Act)
1941. 9. 390 Santa Barbara
(Amends 1925 Acts)
1941 590:1974 Oakland
1941. 720 2236 Oakland
1942 (2d Ex Sess.): 3 101 San Francisco
(Amends 1933 912)
1943 70 309 San Diego
(Amends 1911 Act)
1943. 119. 820 San Diego
(Amends 1939 Act)
1943 218 1120 Sonoma County
(Amends 1939 Act)
1943· 303·1294 Avalon
1943. 607 2189 Oakland
1943. 987:2901 San Francisco
1945: 218. 686 Oakland
1945: 22 689 San Diego
(Amends 1911 Act)
1945. 225. 692 Eureka
1945· 693 1377 San Diego
(Amends 1929 Act which amended 1911 Act)
1945 1359 2549 Redwood City
1945 1513 2826 Los Angeles
(Amends 1917 Act granting land to Venice)
1947: 183 National City
1947: 184 Chula Vista
1947 197 San Diego
1947: 434 San Francisco
1947: 483 Vallejo
1947 872 San Francisco
1947:1076 San Luis Obispo
1947.1394 Redwood City

COMMUNICATION OF ASSEMBLY INTERIM COMMITTEE ON PETROLEUM PROBLEMS TO POLITICAL SUBDIVISIONS

On February 19, 1951, the chairman sent the following communication to the executive officer of every political subdivision in the State of California to which grants of tide and submerged lands had previously been made:

February 19, 1951

DEAR SIR: On or about the eleventh day of August, 1948, there was sent to the Mayor (or proper official) of your city (or political subdivision) a list of questions prepared by the Assembly Interim Committee on Petroleum Problems created by the Legislature in 1947. To date no reply has been received from your city (or political subdivision) in response to this questionnaire.

According to the resolution creating the committee and continuing it for the year 1951, the Assembly Interim Committee is authorized and directed to ascertain, study, and analyze all facts relating to:

> The title of the State of California and its grantees in and to the tide, submerged and reclaimed lands lying within its borders and adjacent to its seacoast, the use, administration, and management thereof by the State and its grantees, any attacks by federal officials relating thereto, litigation with reference thereto, and legislation pending in Congress affecting such title, and any and all matters relating thereto or connected therewith or which effect the interests of the State therein; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the report its recommendations for appropriate legislation.

In view of the legislative directive, I am enclosing again a copy of the questionnaire. Your files no doubt will contain a copy of the legislative act we sent you respecting the grant of state land to your city (or political subdivision). It is imperative that you or the appropriate official give immediate attention to this matter in order that a complete report and recommendation be made to the 1951 Session of the Legislature.

Yours very truly,

G. DELBERT MORRIS, Chairman
Interim Committee on
Petroleum Problems

QUESTIONNAIRE REGARDING TIDELANDS AND SUBMERGED LANDS GRANTED BY THE STATE

1. Which officer or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the State?
2. What action has been or is being taken for the development and improvement of the granted lands?
3. Have public funds been expended for such purposes, and, if so, approximately in what amount?
4. What improvements have been made pursuant to franchises or leases and what is the approximate value thereof?
5. What franchises or leases of such lands are currently in effect?
6. What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which such revenues are used?
7. To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations?
8. Has the local agency been divested of title or right to possession of any of the granted lands by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise?
9. Have any judicial proceedings been commenced against the local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment.

LIST OF POLITICAL SUBDIVISIONS THAT ANSWERED THE QUESTIONNAIRE

The following political subdivisions responded to the questionnaire on the administration, use, and development of tide and submerged lands granted to them by the State of California.

City of Albany
City of Burlingame
City of Carmel
City of Coronado
City of Eureka
City of Laguna Beach
City of Los Angeles
City of Redondo Beach
City of Richmond
City of San Buenaventura (Ventura)
City of San Diego
City of Santa Rosa (County of Sonoma)

LIST OF POLITICAL SUBDIVISIONS THAT DID NOT RESPOND TO THE QUESTIONNAIRE

The administrative or executive officials of the following political subdivisions did not respond to the questionnaire. The committee is endeavoring to obtain information from these officials, and if the data is secured, it will be incorporated in a supplemental report.

City of Arcata
City of Capitola (Santa Cruz County)
City of Chula Vista
City of Crescent City
City of Emeryville
City of Hermosa Beach
City of Martinez
City of Newport Beach
City of Redwood City
City of San Francisco

ANALYSIS OF GRANTS TO POLITICAL SUBDIVISIONS THAT DID NOT RESPOND TO THE QUESTIONNAIRE

No reply to its questionnaire was received by the committee from the following political subdivisions. In view of the importance of the problems and questions involved in the committee's investigations, it is considered advisable to report on the extent of legislative grants of tide and submerged lands.

Political subdivision	*Number of grants*	*Year of grant*
City of Arcata	2	1913, 1917
City of Chula Vista	2	1925, 1947
City of Crescent City	2	1867–68, 1869–70 *
City of Emeryville	1	1919
City of Hermosa Beach	1	1919
City of Martinez	2	1851, 1929
City of Newport Beach	4	1919, 1927, 1929 1929
City of Redwood City	2	1945, 1947
County of Santa Cruz	1	1935
City and County of San Francisco	11	1851, 1871–72, 1923 1931, 1933, 1935 1940,* 1942,* 1943 1947, 1947

The problem of use and administration of tide, submerged, and reclaimed lands granted to political subdivisions by the State of California, and the probable necessity of reacquisition of such lands by the State in order to protect its interest therein, where such lands have not been used or administered in conformity with the express conditions contained in the statutes of grant, urgently require that the committee take immediate action to gain the requested information from the foregoing subdivisions. Until the committee has received the information requested in its questionnaire from all political subdivisions awarded legislative grants of state tide, submerged, and reclaimed lands, and has investigated the accuracy of the information received and analyzed the same, the committee cannot submit its comprehensive and inclusive report and recommendations to the Assembly.

CITY OF ALBANY

ASSEMBLY BILL No. 731

CHAPTER 211

An act granting certain tidelands and submerged lands of the State of California to the City of Albany, and regulating the management, use and control thereof.

[Approved May 6, 1919]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Albany, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State

* Statute amending previous grant.

by virtue of its sovereignty in and to all tidelands and submerged lands, whether filled or unfilled, which are included within the present boundaries of the City of Albany, to be forever held by said city and by its successors in trust for the use and purposes, and upon the express conditions following, to wit:

(a) That said lands shall be used by said city and its successors, only for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city or its successors shall not, at any time, grant, convey, give or alien said lands or any part thereof to any individual, firm or corporation, for any purposes whatever; provided, that said city or its successors may grant franchises thereon, for limited periods, but in no event exceeding 50 years for wharves and other public uses and purposes, and may lease said lands or any part thereof for limited periods, but in no event exceeding 50 years, for the purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce or navigation at said harbor.

(b) That said harbor shall be improved by said city without expense to the State, and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have at all times the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

(d) There is hereby reserved, however, in the people of the State of California the absolute right to fish in all the waters of said harbor, with the right of convenient access to said waters over said land for said purpose.

ANALYSIS OF REPLY FROM THE CITY OF ALBANY

The City of Albany has taken no substantial action to comply with the intents and purposes of the grant, and it has expended little public funds for its improvement as of the date of its reply.

In the questions asked the City of Albany, the second question asks: "What action has been or is being taken for the development and improvement of the granted lands?" The only answer to that question was "Buchanan Street is being extended to a width of 80 feet to connect submerged lands with the shore."

The third question is: "Have public funds been expended for such purposes, and, if so, approximately in what amount?" The answer to that was $2,500 a year with no explanation given as to how many years this sum has been spent or how it was being spent.

The fourth question is: "What improvements have been made pursuant to franchises or leases and what is the approximate value thereof?"

The answer to that was: "None."

The answers to all following questions were: "none."

5. What franchises or leases of such lands are currently in effect?

6. What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which such revenues are used?

7. To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations?

8. Has the local agency been divested of title or right to possession of any of the granted lands by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise?

9. Have any judicial proceedings been commenced against the local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment.

The City of Albany received this grant from the State Legislature on May 6, 1919, some 32 years ago, and apparently during these 32 years nothing has been done with this granted land and no efforts have been expended towards improving or putting to any beneficial use the land which the Legislature granted to them in 1919, except for the widening of one street which apparently, from the answers to the questionnaire, has not been completed during these 32 years.

Though the answers to questions 8 and 9 were "none," yet investigation by the committee leads the committee to believe that there might be an overlapping of a federal railroad land grant or a federal railroad in lieu land grant, which might be in conflict with the state land grant made to the City of Albany by the Legislature in 1919. For this reason, the committee believes further examination into these grants, both federal and state, to be mandatory during the coming interim period.

The City of Albany is a good example of the purpose of the investigation by this committee into what has happened to the grants which the State Legislature has made to the various political subdivisions of the State. If further investigation and examination during the next interim period shows the City of Albany grant to be typical of what has happened to the other grants made by the Legislature it might be well for future Legislatures to initiate steps towards repossessing some of the granted lands where the terms of the grants have not been fully complied with.

CITY OF ALAMEDA

ASSEMBLY BILL No. 35

CHAPTER 348

An act granting to the City of Alameda the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the City of Alameda, and regulating the management, use and control thereof.

[Approved June 11, 1913]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Alameda, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said

State by virtue of its sovereignty, in and to all the salt marsh, tide and submerged lands, whether filled or unfilled, within the present boundaries of said city, and situated below the line of mean high tide of the Pacific Ocean, or of any harbor, estuary, bay or inlet within said boundaries, to be forever held by said city, and by its successors, in trust for the uses and purposes, and upon the express conditions following, to wit:

That said lands shall be used by said city and its successors, solely for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatsoever; provided, that said city, or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, for purposes consistent with the trusts upon which said lands are held by the State of California and with the requirements of commerce or navigation at said harbor, for a term not exceeding 25 years, and on such other terms and conditions as said city may determine, including a right to renew such lease or leases for a further term not exceeding 25 years or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases, and said lease or leases may be for any and all purposes which shall not interfere with navigation or commerce, with reversion to said city on the termination of such lease or leases of any and all improvements thereon, and on such other terms and conditions as the said city may determine, but for no purpose which will interfere with navigation or commerce; subject also to a reservation in all such leases or such wharfing out privileges of a street, or of such other reservation as the said city may determine for sewer outlets, and for gas and oil mains, and for hydrants, and for electric cables and wires, and for such other conduits for municipal purposes, and for such public and municipal purposes and uses as may be deemed necessary by the said city; provided, however, that each person, firm or corporation of their heirs, successors or assigns now in possession of land or lands abutting on said lands, within the boundaries of the City of Alameda, shall have a right to obtain a lease for a term of 25 years from said city of said land and wharfing out privileges therefrom with a right of renewal for a further term of 25 years pursuant to the provisions of this act and on such terms and conditions as said city may determine and specify, subject to the right of said city to terminate said lease at the end of the first 25 years or refuse to renew the same, or to terminate the lease so renewed during the term of such renewed lease on such just and reasonable terms for compensation for improvements at the then value of said improvements as said city may determine and specify.

Upon obtaining such lease and wharfing out privileges such person, firm or corporation, their heirs or assigns, shall quit-claim to said city any right they or any of them may claim or have to the said lands hereby granted.

This grant shall carry the right to such city of the rents, issues and profits in any manner hereafter arising from the lands or wharfing out privileges hereby granted.

The State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California.

No discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors in the management, conduct or operation of any of the utilities, structures or appliances mentioned in this section.

There is hereby reserved in the people of the State of California the right to fish in the waters on which said lands may front with the right of convenient access to said waters over said lands for said purpose.

SEC. 2. The foregoing conveyance is made upon the condition that the City of Alameda shall, within five years from the approval of this act, exclusive of such time as said city may be restrained from so doing by injunction issued out of any court of this State or of the United States, and exclusive of such further delay as may be caused by unavoidable misfortune or great public or municipal calamity, issue its bonds for harbor improvement purposes in an amount of money of not less than $200,000, and shall, within five years after the approval of this act, exclusive of the time in this section hereinbefore mentioned, commence the work of such harbor improvement, and the said work and improvement shall be prosecuted with such diligence that not less than $200,000 shall be expended thereon within five years from the approval of this act exclusive of the time in this section hereinbefore mentioned. If said bonds be not issued or said work be not prosecuted and completed as and in the manner herein provided, then the lands by this act conveyed to the City of Alameda shall revert to the State of California.

ASSEMBLY BILL No. 206

CHAPTER 594

An act to amend Section 1 and to repeal Section 2 of an act entitled "An act granting to the City of Alameda the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the City of Alameda, and regulating the management, use and control thereof," approved June 11, 1913.

[Approved May 24, 1917]

The people of the State of California do enact as follows:

SECTION 1. Section 1 of an act entitled "An act granting to the City of Alameda the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the City of Alameda, and regulating the management, use and control thereof," approved June 11, 1913, is hereby amended to read as follows:

Section 1. There is hereby granted to the City of Alameda, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said

State by virtue of its sovereignty, in and to all the salt marsh, tide and submerged lands, whether filled or unfilled, within the present boundaries of said city, and situated below the line of mean high tide of the Pacific Ocean, or of any harbor, estuary, bay or inlet within said boundaries, to be forever held by said city, and by its successors, in trust for the uses and purposes, and upon the express conditions following, to wit:

That said lands shall be used by said city and its successors, solely for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, warehouses, factories, storehouses, structures and appliances necessary or convenient for the promotion, benefit and accommodation of commerce and navigation, and said city, or its successors, shall not, except as herein authorized, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatever; provided, that said city, or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, for purposes consistent with the trusts upon which said lands are held by the State of California and this grant, for a term not exceeding 25 years, and on such other terms and conditions as said city may determine, including a right to renew such lease or leases for a further term not exceeding 25 years or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases, and said lease or leases may be for any and all purposes which shall not interfere with navigation or commerce, with reversion to the said city on the termination of such lease or leases of any and all improvements thereon, and on such other terms and conditions as the said city may determine, but for no purpose which will interfere with navigation or commerce; subject also to a reservation in all such leases or such wharfing out privileges of a street, or of such other reservation as the said city may determine for sewer outlets, and for gas and oil mains, and for hydrants, and for electric cables and wires, and for such other conduits for municipal purposes, and for such public and municipal purposes and uses as may be deemed necessary by the said city, upon compensation being made for the injury and damage done to any improvement or structure thereon.

Provided further, that in the granting of any and all such leases the city council shall, whenever in its judgment it can reasonably do so, give preference to the owners of upland abutting on the salt marsh, tide or submerged land proposed to be leased; provided, however, that the said City of Alameda may grant, give, convey and alien such lands or any portion thereof, forever to the United States for public purposes of the United States; provided, however, that no such grant shall be made unless authorized and approved by a vote of the majority of the electors of such municipal corporation voting upon the proposition of making such grant at an election therein, at which such proposition shall have been submitted.

This grant shall carry the right to such city of the rents, issues and profits in any manner hereafter arising from the lands or wharfing out privileges hereby granted.

The State of California shall have, at all times, the right, together with the city if there be no lessee or licensee, or together with the lessee

or licensee, if there be a lessee or licensee, to use, without charge, all wharves, docks, piers, slips, quays constructed on said lands or any part thereof, except wharves, docks, piers, slips, quays or other improvements constructed on such lands by the United States for public purposes of the United States, for any vessel or other water craft, or railroad, owned or operated by the State of California.

No discrimination in rates, tolls or charges for use or in facilities for any use or service in connection with wharves, docks, piers, slips or quays or property operated by the city, or property leased, the use of which is dedicated by the lessee or licensee for a public use, shall ever be made, authorized or permitted.

There is hereby reserved in the people of the State of California the right to fish in the waters on which said lands may front with the right of convenient access to said waters over said lands for said purpose, such enjoyment of access and right to fish to be regulated by ordinance of the City of Alameda, so as not to interfere, obstruct, retard or limit the right of navigation or the rights of lessees or licensees under lease or license given.

All leases and licenses granted by ordinance of the City of Alameda prior to the first day of April, 1917, and the terms and conditions expressed therein are affirmed.

SEC. 2. Section 2 of said act, approved June 11, 1913, is hereby repealed.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF ALAMEDA

CITY OF ALAMEDA

CALIFORNIA

OFFICE OF
CARL FROERER
CITY MANAGER

August 9, 1948

THE HONORABLE RALPH C. DILLS
Assemblyman, Sixty-ninth District
Chairman, Interim Committee on Petroleum Problems
State Capitol, Sacramento 14, California

DEAR SIR: In response to your inquiry of July 26, 1948, bearing on the subject of tide, submerged and reclaimed lands—we are returning to you the questionnaire submitted with your letter, together with the answers to all questions propounded therein.

We trust this information may be of service to you in your investigation.

Very truly yours,

CARL FROERER
City Manager

QUESTIONNAIRE REGARDING TIDELANDS AND SUBMERGED LANDS GRANTED BY THE STATE

1. Which officer or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the State?

   City Council of the City of Alameda.

2. What action has been or is being taken for the development and improvement of the granted lands?

   Portions of these tidelands are included in the City's Master Plan of Shoreline Development currently before the State Park Commission.

3. Have public funds been expended for such purposes, and, if so, approximately in what amount?

   No public funds have been expended for improvements; expenditures made for planning use of these lands approximates $1,500.

4. What improvements have been made pursuant to franchises or leases and what is the approximate value thereof?

   None.

5. What franchises or leases of such lands are currently in effect?

   No franchises or leases of such lands are currently in effect, but the city has granted a license for the dredging of shells on such lands.

6. What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which such revenues are used?

   One thousand two hundred dollars per annum from the Pacific Portland Cement Company for the shell dredging license aforementioned which revenues go into the general fund of the city.

7. To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations?

   No such use is being made of the lands under the jurisdiction of the City of Alameda.

8. Has your local agency been divested of title or right to possession of any of the granted land by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise?

   The United States Navy has acquired possession of approximately one thousand acres in the expansion of its facilities.

9. Have any judicial proceedings been commenced against your local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment.

   No.

ANALYSIS OF REPLY FROM THE CITY OF ALAMEDA

The City of Alameda has taken no substantial action to comply with the intents and purposes of the grants, and it has expended no public funds for improvements, as of the date of its reply. Whether the city's Master Plan of Shoreline Development conforms to the express conditions of the grant of 1917, Chapter 594, can be determined only upon further investigation. Although no franchises or leases are reported to be in effect, the city derives an income of $1,200 a year from its license to a private concern for dredging of shells from granted land, an activity within the comprehension of the statute of grant No actual use or occupancy of granted lands by corporations or individuals is reported. While the city's reply does not disclose in what manner the United States Navy acquired possession of a portion of the granted lands, the city is expressly authorized by the terms of the 1917 grant to "grant, give, convey, or alien all or a portion of such lands to the United States for public purposes of the United States; provided, however, that no such grant shall be made unless authorized and approved by a vote of the majority of the electors of such municipal corporation voting upon the proposition of making such grant * * *." Investigation by the committee disclosed that the City of Alameda has transferred 2,004 acres of the area granted by the State to the Federal Government. This was done by vote of the people at elections held on November 4, 1930, and January 28, 1936. This land is now occupied by the U. S. Naval Air Station, one of the largest military establishments in the United States. It is to be noted that this station made a significant contribution to the war effort during World War II and is one of the major bases for the Naval Air Force during the present Korean conflict.

In addition this beneficial use of former tidelands has provided employment for thousands of men and women.

Conclusion. However, the reply of the City of Alameda is inconclusive and further investigation is required, in the following particulars: There is some possibility of unauthorized use and administration of granted lands; failure properly to develop the granted lands is indicated, and there is some possibility that the alienation of a portion of the granted lands to the United States did not conform to the conditions of the statute. In addition, the matter of the revenue from the granted lands going into the city's general funds merits examination.

CITY OF AVALON

ASSEMBLY BILL No. 1930

CHAPTER 303

An act granting certain tide lands, submerged lands and filled tide lands of the State of California to the City of Avalon, upon certain trusts and conditions.

[Approved by Governor May 2, 1943 Filed with Secretary of State May 2, 1943]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Avalon, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California held by said State by virtue of its sovereignty, in and to all of the tide lands, submerged

lands and filled tide lands lying within the corporate limits of the City of Avalon and bordering upon, in and under the Pacific Ocean, situated below the line of mean high tide of the Pacific Ocean, to be forever held by the City of Avalon and its successors in trust for the uses and purposes and upon the express conditions following, to wit:

(a) Said lands shall be used by said city and by its successors solely for the establishment, improvement and conduct of a harbor and for the establishment and construction of bulkheads, or breakwaters for the protection of lands within its boundaries, or for the protection of its harbor, and for the construction, maintenance and operation thereof of wharves, docks, piers, slips, quays, ways and streets and other utilities, structures and appliances necessary or convenient for the promotion or accommodation of commerce and navigation, and for the protection of the lands within said city. And said city or its successors shall not at any time grant, convey, give or alien said lands or any part thereof to any individual, firm or corporation, for any purpose whatever; provided, that said city or its successors may grant franchises thereon for a period not exceeding 50 years for wharves and other public uses and purposes, and may lease said lands or any part thereof for limited periods, in any event not to exceed 50 years for any and all purposes which shall not interfere with commerce or navigation and are not inconsistent with the trusts upon which said lands are held by the State of California or with the requirements of commerce or navigation at said harbor.

(b) Said harbor shall be improved by said city without expense to the State and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have at all times the right to use, without charge, all wharves, docks, piers, slips, quays and other improvement constructed on said lands or any part thereof for any vessel or other water craft or railroad owned or operated by the State of California.

(c) In the management, conduct or operation of said harbor or any of the utilities, structures or appliances mentioned in paragraph (a) no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city, or by its successors. The absolute right to fish in the waters of said harbor with the right of convenient access to said water over said lands for said purposes is hereby reserved to the people of the State of California.

There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas in said land, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from such land.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF AVALON

August 6, 1948.

ASSEMBLYMAN RALPH C. DILLS
123 N. Tamarind Street
Compton, California

MY DEAR ASSEMBLYMAN: This will acknowledge your letter of July 26th, addressed to Roy E. Taylor in his former capacity as mayor, with which was enclosed a questionnaire regarding tidelands. The city council requested me to reply to your letter, and the answers have been prepared with the assistance of the city attorney.

1. City council.

2. The lands are used for piers, bathing beaches, boats, yachts, vessels, transportation facilities, clubs, bath house and commercial fishing.

3. Yes, whenever necessary. The exact amount annually over a period of years is not readily ascertainable, but probably amounts to $12,000 or $15,000 a year.

4. Improvements were made prior to the legislative act granting these lands to the City of Avalon, other than the city pier.

5. Currently existing leases on bath house, steamer pier and two clubs.

6. Approximately $41,000 annually from leases, dockage and wharfage fees (head tax), booth rentals, business licenses and mooring fees. Revenue used generally for harbor and city pier.

7. Small portion (perhaps 5 percent) under lease as in paragraph 5 above.

8 and 9. No.

I trust that this information satisfies your requirements, but if additional data is needed, I'll be happy to get it for you.

Very truly yours,

GEORGE SHAW
City Business Manager

ANALYSIS OF REPLY FROM THE CITY OF AVALON

The statute of grant to the City of Avalon is broader in its terms and more lenient in its conditions regarding use and administration of granted lands than the interests of the State of California and the general public require. While the statute of grant permits the city to lease granted lands "for any and all purposes which shall not interfere with commerce and navigation," it would appear that leasing of such lands to private clubs

might well be an unauthorized use and administration of those lands, having in view the intent and purpose of such legislation to promote commerce and navigation in the interest of the general public. The presence of commercial fishing privileges, as well as of the private clubs, may constitute unlawful discrimination in violation of Section 1 (c) of the statute of grant of 1943, Chapter 303. Expenditure of public funds for development and improvement of leased lands is not prohibited by the statute, but the fact that such expenditures apparently inure to the benefit of private lease-holders rather than to the general public, to some extent, at least, warrants a searching examination. It should be noted that the city's reply states that improvements pursuant to franchises or leases all were made prior to the legislative grant, no value thereof being given. The sources of revenue from granted lands, as itemized in the reply, appear to be authorized by the broad language of the statute of grant, but should be examined closely because of that broad language of the statute.

Conclusion. The reply of the City of Avalon is unsatisfactory, and further investigation is required, in the following particulars: There is a strong possibility of unauthorized use and administration of granted lands, with particular regard to the nature of certain of the lessees thereof, beneficiaries of public funds expended in the improvement and development of such lands, and source of revenue therefrom. In addition, it should be emphasized that the lenient conditions of the grant do not adequately protect the interests of the State and the general public, in view of the legislative intent and purpose of promotion of commerce and navigation and of the trust for which purposes the granted lands are held by the political subdivisions.

CITY OF BERKELEY

ASSEMBLY BILL No. 1090

CHAPTER 347

An act granting to the City of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the City of Berkeley, and regulating the management, use and control thereof.

[Approved June 11, 1913]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Berkeley, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said state by virtue of its sovereignty, in and to all the salt marsh, tide and submerged lands, whether filled or unfilled, within the present boundaries of said city, and situated below the line of mean high tide of the Pacific ocean, or of any harbor, estuary, bay or inlet within said boundaries, to be forever held by said city, and by its successors, in trust for the uses and purposes, and upon the express conditions following, to wit: That said lands shall be used by said city and its successors, solely for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or

convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual firm or corporation for any purpose whatever; provided, that said city, or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, for purposes consistent with the trusts upon which said lands are held by the State of California and with the requirements of commerce or navigation at said harbor, for a term not exceeding 25 years, and on such other terms and conditions as said city may determine, including a right to renew such lease or leases for a further term not exceeding 25 years or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases, and said lease or leases may be for any and all purposes which shall not interfere with navigation or commerce, with the reversion to the said city on the termination of such lease or leases of any and all improvements thereon, and on such other terms and conditions as the said city may determine, but for no purpose which will interfere with navigation or commerce; subject also to a reservation in all such leases or such wharfing out privileges of a street, or of such other reservation as the said city may determine for sewer outlets, and for gas and oil mains, and for hydrants, and for electric cables and wires, and for such other conduits for municipal purposes, and for such public and municipal purposes and uses as may be deemed necessary by the said city; provided, however, that each person, firm or corporation or their heirs, successors or assigns now in possession of land or lands abutting on said lands, within the boundaries of the City of Berkeley, shall have a right to obtain a lease for a term of 25 years from said city of said land and wharfing out privileges therefrom with a right of renewal for a further term of 25 years pursuant to the provisions of this act and on such terms and conditions as said city may determine and specify, subject to the right of said city to terminate said lease at the end of the first 25 years or refuse to renew the same, or to terminate the lease so renewed during the term of such renewed lease on such just and reasonable terms for compensation for improvements at the then value of said improvements as said city may determine and specify. Upon obtaining such lease and wharfing out privileges such person, firm or corporation, their heirs or assigns, shall quit-claim to said city any right they or any of them may claim or have to the said lands hereby granted. This grant shall carry the right to such city of the rents, issues and profits in any manner hereafter arising from the lands or wharfing out privileges hereby granted The State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California No discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors in the management, conduct or operation of any of the utilities, structures or appliances mentioned in this section There is hereby reserved in the people of the State of California the right to fish in the waters on which said lands may front with the right of convenient access to said waters over said lands for said purpose.

SEC. 2. The foregoing conveyance is made upon the condition that the City of Berkeley shall, within five years from the approval of this act, exclusive of such time as said city may be restrained from so doing by injunction issued out of any court of this State or of the United States, and exclusive of such further delay as may be caused by unavoidable misfortune or great public or municipal calamity, issue its bonds for harbor improvement purposes in an amount of money of not less than $500.000 and shall, within five years after the approval of this act, exclusive of the time in this section hereinbefore mentioned, commence the work of such harbor improvement, and the said work and improvement shall be prosecuted with such diligence that not less than $500.000 shall be expended thereon within five years from the approval of this act exclusive of the time in this section hereinbefore mentioned. If said bonds be not issued or said work be not prosecuted and completed as and in the manner herein provided, then the lands by this act conveyed to the City of Berkeley shall revert to the State of California

ASSEMBLY BILL No. 262

CHAPTER 596

An act to repeal Section 2 of an act entitled "An act granting to the City of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the City of Berkeley, and regulating the management, use and control thereof," approved June 11, 1913, also approved May 27, 1915.

[Approved May 24, 1917]

The people of the State of California do enact as follows :

SECTION 1. Section 2 of an act entitled "An act granting to the City of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the City of Berkeley, and regulating the management, use and control thereof," approved June 11, 1913, also approved May 27, 1915, is hereby repealed.

ASSEMBLY BILL No. 57

CHAPTER 534

An act to amend an act entitled "An act granting to the City of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the City of Berkeley, and regulating the management, use and control thereof," approved June 11, 1913.

[Approved May 27, 1915]

The people of the State of California do enact as follows:

SECTION 1. Section 1 of an act entitled "An act granting to the City of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the City of Berkeley, and regulating the management, use and control thereof," approved June 11, 1913, is hereby amended to read as follows:

Section 1. There is hereby granted to the City of Berkeley, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all the salt marsh, tide and submerged

lands, whether filled or unfilled, within the present boundaries of said city, and situated below the line of mean high tide of the Pacific Ocean, or of any harbor, estuary, bay or inlet within said boundaries, to be forever held by said city, and by its successors, in trust for the uses and purposes, and upon the express conditions following, to wit: That said lands shall be used by said city and its successors, solely for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatever; provided, that said city, or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, for purposes consistent with the trusts upon which said lands are held by the State of California and with the requirements of commerce or navigation at said harbor, for a term not exceeding 25 years, and on such other terms and conditions as said city may determine, including a right to renew such lease or leases for a further term not exceeding 25 years or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases, and said lease or leases may be for any and all purposes which shall not interfere with navigation or commerce, with the reversion to the said city on the termination of such lease or leases of any and all improvements thereon, and on such other terms and conditions as the said city may determine, but for no purpose which will interfere with navigation or commerce; subject also to a reservation in all such leases or such wharfing out privileges of a street, or of such other reservation as the said city may determine for sewer outlets, and for gas and oil mains, and for hydrants, and for electric cables and wires, and for such other conduits for municipal purposes, and for such public and municipal purposes and uses as may be deemed necessary by the said city; provided, however, that each person, firm or corporation or their heirs, successors or assigns now in possession of land or lands abutting on said lands, within the boundaries of the City of Berkeley, shall have a right to obtain a lease for a term of 25 years from said city of said land and wharfing out privileges therefrom with a right of renewal for a further term of 25 years pursuant to the provisions of this act and on such terms and conditions as said city may determine and specify, subject to the right of said city to terminate said lease at the end of the first 25 years or refuse to renew the same, or to terminate the lease so renewed during the term of such renewed lease on such just and reasonable terms for compensation for improvements at the then value of said improvements as said city may determine and specify. Upon obtaining such lease and wharfing out privileges such person, firm or corporation, their heirs or assigns, shall quit-claim to said city any right they or any of them may claim or have to the said lands hereby granted. This grant shall carry the right to such city of the rents, issues and profits in any manner hereafter arising from the lands or wharfing out privileges hereby granted. The State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements

constructed on said lands or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California. No discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors in the management, conduct or operation of any of the utilities, structures or appliances mentioned in this section. There is hereby reserved in the people of the State of California the right to fish in the waters on which said lands may front with the right of convenient access to said waters over said lands for said purpose.

SEC. 2. Section 2 of an act entitled "An act granting to the City of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the City of Berkeley, and regulating the management, use and control thereof," approved June 11, 1913, is hereby amended to read as follows:

Sec. 2 The foregoing conveyance is made upon the condition that the City of Berkeley shall, on or before the first day of July in the year 1920, issue its bonds for harbor improvements in an amount of money of not less than five hundred thousand dollars ($500,000), and shall within said time commence the work of such harbor improvement, and the said work and improvement shall be prosecuted with such diligence that not less than five hundred thousand dollars ($500,000) shall be expended thereon within such time; provided, however, that should the said City of Berkeley be restrained from so prosecuting the work of such harbor improvements by injunction, issued out of any court of this State or of the United States, or the further delay as a result of any unavoidable misfortune of great public or municipal calamity then, and in such event, such time shall not be included within the time herein set forth, but whatever length of time of said city shall be prevented from commencing or completing such harbor improvement as the result of such injunction or unavoidable misfortune of great public or municipal calamity, such time caused by such delay shall be added to the time herein set forth. If said bonds be not issued or said work be not prosecuted and completed as, and in the manner herein provided, then the lands by this act conveyed to the City of Berkeley shall revert to the State of California.

ASSEMBLY BILL No. 732

CHAPTER 517

An act to amend Section 1 of an act entitled "An act to amend an act entitled 'An act granting to the City of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the City of Berkeley, and regulating the management, use and control thereof,' approved June 11, 1913," approved May 27, 1915.

[Approved May 27, 1919]

The people of the State of California do enact as follows:

SECTION 1. Section 1 of the act entitled "An act to amend an act entitled 'An act granting to the City of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to

wharf out therefrom to the City of Berkeley, and regulating the management, use and control thereof,' approved June 11, 1913,'' approved May 27, 1915, is hereby amended to read as follows:

Section 1. There is hereby granted to the City of Berkeley, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty in and to all tidelands and submerged lands, whether filled or unfilled, which are included within the present boundaries of the City of Berkeley, to be forever held by said city and by its successors in trust for the use and purposes, and upon the express conditions following, to wit:

(a) That said lands shall be used by said city and its successors, only for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city or its successors shall not, at any time, grant, convey, give or alien said lands or any part thereof, to any individual, firm or corporation, for any purposes whatever; provided, that said city or its successors may grant franchises thereon, for limited periods, but in no event exceeding 50 years for wharves and other public uses and purposes, and may lease said lands or any part thereof for limited periods, but in no event exceeding 50 years, for the purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce or navigation at said harbor.

(b) That said harbor shall be improved by said city without expense to the State, and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have at all times the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbor, or any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

(d) There is hereby reserved, however, in the people of the State of California the absolute right to fish in all the waters of said harbor, with the right of convenient access to said waters over said land for said purpose.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF BERKELEY

CITY OF BERKELEY
CALIFORNIA

ROSS MILLER, CITY MANAGER

September 1, 1948

HON. RALPH C. DILLS, *Chairman*
Interim Committee on Petroleum Problems
State Capitol, Zone 14, Sacramento, California

DEAR SIR: I am setting forth below the answers to the questions regarding tidelands and submerged lands granted by the State, which you recently forwarded to the mayor.

1. Administration of tidelands and submerged lands in this city is by the council through the city manager.

2. In 1935-37 a yacht harbor was developed in Berkeley on the city-owned tidelands. Prior to that time there existed a municipally-owned dock and warehouse and the pier of the Golden Gate Ferry Co. The municipal dock and warehouse still are being operated under lease from the city. The ferries have not run for some years and the pier is used as a fishing pier to provide recreation for persons in this area.

3. Public funds have expended for the yacht harbor improvements and equipment amounting to approximately $227,500. During the war, the U. S. Navy used portions of the yacht harbor and installed an additional pier therein. This pier has recently been acquired by the city and while we do not have any cost figures on it, our best estimate would be an additional $50,000.

4. The only improvement made on the tidelands pursuant to a lease was the construction of the Golden Gate Ferry Pier. This pier is approximately three miles long and it is estimated that the cost was approximately $34 per lineal foot. Due to long years of service the present value is questionable.

5. There are no franchises currently in effect on such lands. There are two leases. The first grants certain concessions at the yacht harbor for the repair of boats, pier, or chandlery, the operation of a marine gas and oil service station, and the warehouse and dock. There is a second lease also covering the lifting and repair of boats.

6. The annual revenue from the yacht harbor and the leases for the Fiscal Year ending June 30, 1948, total $31,151.78. These are derived from charges for anchorage, berths, storage, special services, and the leases.

7. The Berkeley tidelands are used and occupied by industries and corporations only to the extent of two leases as mentioned above.

8. The City of Berkeley has not been divested of title, right, possession or of any of the granted tidelands, in any manner whatsoever. No judicial proceedings have been commenced against the City of Berkeley affecting tidelands or right to possession of any such lands.

If there is any additional information which you desire, I shall be glad to send it.

Sincerely,

ROSS MILLER, City Manager

ANALYSIS OF THE REPLY OF THE CITY OF BERKELEY

The reply of the City of Berkeley is unsatisfactory in only one particular: The purpose to which revenues from the granted lands are applied. The report, at face value, indicates substantial compliance with the conditions of the statutes of grant and the trust under which such lands are held.

Conclusion. The committee should investigate the purposes to which revenues from state-granted lands are applied by the City of Berkeley, to determine if there has been a violation of any of the express conditions of the statutes of grant.

CITY OF BURLINGAME

ASSEMBLY BILL No. 485

CHAPTER 535

An act granting to the City of Burlingame the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom, and regulating the management, use and control thereof.

[Approved May 27, 1915]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Burlingame, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State by virtue of its soverignty, in and to all the salt marsh, tide and submerged lands, whether filled or unfilled, within the present boundaries of said city, and situated below the line of mean high tide of the Pacific Ocean, or of any harbor, estuary, bay or inlet within said boundaries, to be forever held by said city, and by its successors, in trust for the uses and purposes, and upon the express conditions following, to wit: that said lands shall be used by said city and its successors, solely for the establishment, improvement and conduct of a harbor, and for the contruction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatever; provided, that said city, or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, for purposes consistent with the trusts upon which said lands are held by the State of California and with the requirements of commerce or navigation at said harbor, for a term not exceeding 25 years, and on such other terms and conditions as said city may determine, including a right to renew such lease or leases for a further term not exceeding 25 years or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases, and said lease or leases may be for any and all purposes which shall not interfere with navigation or commerce, with reversion to the said city on the termination of such lease or leases of any and all improvements thereon, and on such other terms and conditions as the said city may determine, but for no

purpose which will interfere with navigation or commerce; subject also to a reservation in all such leases or such wharfing out privileges of a street, or of such other reservation as the said city may determine for sewer outlets, and for gas and oil mains, and for hydrants, and for electric cables and wires, and for such other conduits for municipal purposes, and for such public and municipal purposes and uses as may be deemed necessary by the said city; provided, however, that each person, firm or corporation or their heirs, successors or assigns now in possession of land or lands abutting on said lands, within the boundaries of the City of Burlingame, shall have a right to obtain a lease for a term of 25 years from said city of said land and wharfing out privileges therefrom with a right of renewal for a further term of 25 years pursuant to the provisions of this act and on such terms and conditions as said city may determine and specify, subject to the right of said city to terminate said lease at the end of the first 25 years or refuse to renew the same, or to terminate the lease so renewed during the term of such renewed lease on such just and reasonable terms for compensation for improvements at the then value of said improvements as said city may determine and specify. Upon obtaining such lease and wharfing out privileges such person, firm or corporation, their heirs or assigns, shall quitclaim to said city any right they or any of them may claim or have to the said lands hereby granted. This grant shall carry the right to such city of the rents, issues and profits in any manner hereafter arising from the lands or wharfing out privileges hereby granted. The State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California. No discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors in the management, conduct or operation of any of the utilities, structures or appliances mentioned in this section. There is hereby reserved in the people of the State of California the right to fish in the waters on which said lands may front with the right of convenient access to said waters over said lands for said purpose.

SEC. 2. The foregoing conveyance is made upon the condition that the City of Burlingame shall, within five years from the time this act shall go into effect, exclusive of such time, as said city may be restrained from so doing by injunction, issued out of any court of this State or of the United States, and exclusive of such further delay as may be caused by unavoidable misfortune or great public or municipal calamity, issue its bonds for harbor improvement purposes in an amount of money of not less than $100,000, and shall, within five years after this act shall go into effect, exclusive of the time in this section hereinbefore mentioned, commence the work of such harbor improvement, and the said work and improvement shall be prosecuted with such diligence that not less than $100,000 shall be expended thereon within five years from the time this act shall go into effect, exclusive of the time in this section hereinbefore mentioned. If said bonds be not issued or said work be not prosecuted and completed as and in the manner herein provided, then the lands by this act conveyed, to the City of Burlingame, shall revert to the State of California.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF BURLINGAME

The City of Burlingame
SAN MATEO COUNTY
CALIFORNIA

March 14, 1951

MR G. DELBERT MORRIS, *Chairman*
Interim Committee on Petroleum Problems
State Capitol, Sacramento, California

DEAR MR. MORRIS: Your letter of February 15th, with questionnaire regarding tidelands, submerged and reclaimed lands granted by the State, which was addressed to Mayor Love, has been referred to this office for reply.

The City of Burlingame does not have any state-granted property of that nature, but we do have approximately 90 acres of tideland on the bayshore near Broadway which was purchased from private owners for the construction of a disposal plant and for use as a municipal waste fill.

Very truly yours,

HERBERT K. WHITE
City Clerk

ANALYSIS OF THE REPLY OF THE CITY OF BURLINGAME

The reply of the City of Burlingame is completely unsatisfactory in view of the attached statute of grant of 1915, Chapter 535. Immediate on-the-spot investigation, survey, and research is necessary to protect the interest of the State of California in the granted lands. It is apparent that there has been no compliance whatsoever with the statute of grant, with particular regard to the development and improvement of the granted lands.

Conclusion. It is probable that investigation by the committee will indicate the advisability of reacquisition by the State of California of the salt marsh, tide, and submerged lands granted to the City of Burlingame.

CITY OF CARMEL-BY-THE-SEA

ASSEMBLY BILL No. 652

CHAPTER 137

An act granting certain overflowed lands, marsh lands, tidelands, and submerged lands of the State of California to the Carmel Sanitary District.

[Approved by the Governor April 17, 1929]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the Carmel Sanitary District, a sanitary district of the State of California, and to its successors, all the right, title, and interest of the State of California, held by said state by virtue of its sovereignty, in and to all the overflowed lands, marsh lands, tidelands, and submerged lands, whether filled or unfilled, at and about the mouth and estuary of the Carmel River, between the United States meander line and the northern boundaries of certain Spanish land grant lands, said sovereign lands of the State of California being more particularly described as follows, to wit: beginning at a post, said post being a witness corner between sections eleven (11) and fourteen (14), township sixteen south, range one west, Mount Diablo meridian, said post further being the intersection between said section line and said United States meander line; thence along said United States meander line in a westerly and southerly direction to the north bank of the Carmel River at or near the mouth of said river; thence in an easterly direction along the north bank of the Carmel River along said United States meander line to the intersection of said meander line and the north boundary line of the Spanish land grant lands of the Rancho el Portrero, and Rancho San Jose y sur Chiquito; thence westerly following said north boundary of said Spanish land grant lands along the south bank of the Carmel River to the mouth of the Carmel River; then westerly and southerly for a distance of 3,000 feet; thence due west into Pacific Ocean to the intersection of said line and the 20-fathom line; thence northerly along said 20-fathom line to the point of the intersection of said 20-fathom line and the westerly prolongation of the said section line between sections eleven (11) and fourteen (14) as hereinabove described; thence along said line in an easterly direction to the point of beginning; all said lands being sovereign lands of the State of California.

SEC. 2. None of said lands shall be used or devoted to any purpose other than for necessary and convenient sanitary facilities, said uses to conform in principle and in practice to the rules and regulations of the Board of Health of the State of California; and for other public uses not inconsistent with the terms of this grant as may from time to time arise; and said Carmel Sanitary District and its successors, shall not at any time grant, convey or alien said lands, or any portion thereof, to any person, firm or corporation for any purpose whatsoever; provided, however, that nothing contained herein shall be so construed as to prevent the granting or use of franchises, or leases, of limited duration for rights of way in, under, over, or across said lands for power, telephone, telegraph, or cable lines, or for other public purposes consistent with the trust under which these lands are granted and held.

SEC. 3. Any improvement to, or upon said lands shall be made by the Carmel Sanitary District without expense to the State of California, and such improvements shall always remain for public purposes, and for none other; and the State of California shall have at all times the right to use, without charge, all wharves, docks, piers, slips, quays, or other improvement constructed on said lands, or any part thereof, for any vessel or other water craft, or raiload owned and opeated by the State of California.

SEC. 4. In the management, conduct, and use of said lands, or of the improvements thereto or thereupon, or of any of the utilities, appliances or structures placed thereon, no discrimination in the rates, tolls, or charges or in the use, or service in connection therewith, shall ever be made, authorized, or permitted by the said Carmel Sanitary District, or by its successors.

SEC. 5. The absolute right to fish in the waters of the Pacific Ocean over said lands, with the right of convenient access to said waters over said lands, for said purpose, is hereby expressly reserved to the people of the State of California.

SEC. 6. The provisions of this act shall be liberally construed both as to the provisions specifically set forth herein, and those which are necessary and incident thereto, and which it would be competent for the act to set forth specifically and in detail, to effect and promote the objects hereof. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SEC. 7. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution of the State of California, and shall take effect immediately.

The facts constituting such an urgency are as follows:

The lands mentioned in Section 1 hereof are needed by the Carmel Sanitary District for additions to and development of its disposal plant, to take care of sewage within the thickly populated territory of the district, and if such sewage is not taken care of promptly, the lives and health of the citizens residing therein will be menaced and endangered.

QUESTIONNAIRE REGARDING TIDELANDS AND SUBMERGED LANDS GRANTED BY THE STATE

1. Which officer or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the State? None have been granted to this city.
2. What action has been or is being taken for the development and improvement of the granted lands? None.
3. Have public funds been expended for such purposes, and, if so, approximately in what amount? No.
4. What improvements have been made pursuant to franchises or leases and what is the approximate value thereof? None.

5. What franchises or leases of such lands are currently in effect? None.
6. What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which such revenues are used? None.
7. To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations? None.
8. Has the local agency been divested of title or right to possession of any of the granted lands by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise? No.
9. Have any judicial proceedings been commenced against the local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment. No.

CITY OF CARMEL BY THE SEA
By PETER MAWDSLEY, City Clerk

Note: The Carmel Sanitary District (mentioned in your letter) is not coterminous with the city but includes all of the city.

ANALYSIS OF THE REPLY OF THE CARMEL SANITARY DISTRICT

The reply of the Carmel Sanitary District, through the City of Carmel by the Sea, by the city clerk thereof, is completely unsatisfactory. The reply is evasive in its answer to Question One of the committee's questionnaire, that "none (tidelands and submerged lands) have been granted to this city." The reply further states that "the Carmel Sanitary District * * * is not coterminous with the city but includes all of the city." The fact remains that the city government is charged with the administration of the Carmel Sanitary District.

Conclusion. Probable noncompliance with the statute of grant or unauthorized use and administration of the granted lands are indicated by the reply of the Carmel Sanitary District. To protect the interest of the State of California and of the general public in the granted lands, the committee immediately should procure a survey of the granted lands and conduct an investigation into the use and administration thereof. Such survey and investigation probably will indicate the necessity of reacquisition of the granted lands by the State of California.

CITY OF CORONADO

ASSEMBLY BILL No. 637

CHAPTER 49

An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of Coronado in furtherance of navigation, commerce and fisheries and providing for the government, management and control thereof.

[Approved April 27, 1923]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted and conveyed to the City of Coronado, a municipal corporation in the County of San Diego, State of California, all the right, title and interests of the State of California, held by said State by virtue of its sovereignty, in and to all the tide lands

and submerged lands (whether filled or unfilled), within the present boundaries of said city and situated upon the Coronado side of the Bay of San Diego, in the County of San Diego, State of California, lying between the line of mean high tide and the pier head line in said bay, as the same has been or may hereafter be established by the Federal Government, and between the prolongation of the easterly boundary line of the City of Coronado into Glorietta Bay, a portion of the said San Diego Bay, and the prolongation of the westerly boundary line of the City of Coronado into Spanish Bight, a portion of said San Diego Bay; to be forever held by said City of Coronado in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands shall be used by said city for the establishment, improvement and conduct of the harbor and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion of commerce and navigation and fisheries and for the establishment and maintenance of bath houses and bathing facilities necessary or convenient for the inhabitants of said city, and said city shall not at any time grant, convey, give or alien said lands or any part thereof to any individual, firm or corporation for any purpose whatsoever; provided, that said city may grant franchises thereon for wharves and other public uses and purposes, and may lease said lands or any party thereof for a period not exceeding 25 years for purposes consistent with the trust upon which said lands are held by the State of California and with the requirements of commerce or navigation of said harbor;

(b) That said harbor shall be improved by said city without expense to the State of California, and it shall always remain a public harbor for all purposes of commerce, navigation, and the State of California shall have at all times the right to use without charge all wharves, docks, piers, slips, quays and other improvements constructed on said land or any part thereof for any vessel or other water craft or railroad, owned and operated by the State of California;

(c) That in the management, conduct or operation of said harbor or of any of the utilities, structures or appliances mentioned in paragraph (a) no discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city.

Reserving, however, for the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands for said purpose.

SENATE BILL No. 160

CHAPTER 681

An act to amend Section 1 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of Coronado in furtherance of navigation, commerce and fisheries and providing for the government, management and control thereof," approved April 27, 1923.

[Approved by the Governor June 4, 1929]

The people of the State of California do enact as follows:

SECTION 1. Section 1 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of Coronado in furtherance of navigation, commerce and fisheries and providing for the government, management and control thereof," approved April 27, 1923, is hereby amended to read as follows:

Section 1. There is hereby granted and conveyed to the City of Coronado, a municipal corporation in the County of San Diego, State of California, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all the tidelands and submerged lands (whether filled or unfilled), within the present boundaries of said city and situated upon the Coronado side of the Bay of San Diego, in the County of San Diego, State of California, lying between the line of mean high tide and the pierhead line in said bay, as the same has been or may hereafter be established by the Federal Government, and between the prolongation of the easterly boundary line of the City of Coronado into Glorietta Bay, a portion of the said San Diego Bay, and the prolongation of the westerly boundary line of the City of Coronado into Spanish Bight, a portion of said San Diego Bay; to be forever held by said City of Coronado in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands shall be used by said city for the establishment, improvement and conduct of the harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion of commerce, navigation and fisheries, and for the establishment and maintenance of bath houses and bathing facilities and boat houses necessary or convenient for the inhabitants of said city and said city shall not at any time grant, convey, give or alien said lands or any part thereof to any individual, firm or corporation for any purpose whatsoever; provided, however, that said City of Coronado may grant franchises thereon for wharves, docks, piers, slips, quays, bath houses and bathing facilities, boat houses and any other public uses and purposes, and may lease said lands or any part thereof for any of said uses or purposes hereinabove enumerated, for any purposes consistent with the trust upon which said lands are held by the State of California, and with the requirements of commerce or navigation of said harbor, to person, firms or corporations for a period not exceeding 50 years; provided, however, that said city may have the right to renew such lease or leases for the further term not exceeding 25 years, or to terminate the same upon such

terms, reservations and conditions as may be stipulated in such lease or leases.

Every such lease shall provide for the payment of rentals to the City of Coronado, which said rentals shall either be at an agreed figure, or shall be arrived at in such manner as may be mutually agreed upon, and provided for in said lease or leases.

Said leases shall also provide that at no time during their term, shall the said City of Coronado be required to make any improvements on or for the benefit of the leased lands. Every lease so executed shall reserve to the board of trustees and to the people of the City of Coronado, the right and privilege by ordinance duly adopted, to terminate, change or modify such lease or leases on such terms, reservations and conditions as may be stipulated in such lease or leases

(b) That said harbor shall be improved by said city without expense to the State of California, and it shall always remain a public harbor for all purposes of commerce, navigation, and the State of California shall have at all times the right to use without charge all wharves, docks, piers, slips, quays and other improvements constructed on said land or any part thereof for any vessel or other water craft or railroad, owned and operated by the State of California.

(c) That in the management, conduct or operation of said harbor or of any of the utilities, structures or appliances mentioned in paragraph (a) no discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city.

Reserving, however, for the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said water over said lands for said purpose.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF CORONADO

CITY OF CORONADO
CALIFORNIA

OFFICE OF
CITY MANAGER

March 17, 1951.

MR. G. DELBERT MORRIS, *Chairman*
Interim Committee on Petroleum Products
Sacramento State Capitol Building
Sacramento 14, California

DEAR MR. MORRIS: Your letter of February 15, 1951, addressed to G. F. Neal, has been referred to me for reply A search of our files fails to disclose the questionnaire mentioned therein. I am answering your

questions regarding tidelands and submerged lands, in the order presented:

1. Coronado City Council.
2. Lands are leased to private concerns for purposes of navigation, commerce and fisheries, etc.
3. No.
4. Approximately $300,000 in improvements due to leases.
5. One lease and franchise to San Diego & Coronado Ferry Company; the rest in 20-year leases to private concerns for various uses.
6. Annual income of $9,800 applied as provided herein, and replacement, improvement, etc.
7. Approximately 55 percent.
8. No.
9. No.

NOTE: Answer to Question 7 does not include 40 acres of tidelands leased to F. P. H. A.—Housing Project—and 130 acres leased to U. S. Navy for amphibious training base.

Very truly yours,

GLENN WADE
Acting City Manager

ANALYSIS OF THE REPLY OF THE CITY OF CORONADO

The reply of the City of Coronado is indefinite with respect to the development and improvement of granted lands, and no reasonable inference as to compliance with the statute of grant may be drawn from the vague answer to Question 2 of the questionnaire. The answer to Question 5, relating to leases and franchises of granted lands currently in effect, is indefinite and requires investigation into both the aggregate number of existing leases and franchises and the uses to which the granted lands are put by lease and franchise holders. The purposes for which revenues from granted lands are used is not clear. If such revenues are expended in improving or for the benefit of the leased land, such purposes constitute a violation of the express conditions of the statute of grant of 1929, Chapter 681. Particular examination should be made of the lease and franchise to the San Diego and Coronado Ferry Company, with emphasis on the terms and provisions thereof. Investigation of the two leases to the Federal Government, mentioned in the note at the conclusion of the reply, also should be made.

Conclusion. The reply of the City of Coronado is unsatisfactory, and further investigation is required, in the following particulars: Additional and more explicit information is needed regarding the development and improvement of the granted lands and regarding leases thereof and franchises thereon, so that the data relating thereto available to the committee will be more definite and certain. Further investigation and examination may well indicate unauthorized use and administration of the granted lands, and the committee can thereupon determine the advisability of reacquisition of the granted lands by the State of California.

CITY OF EUREKA

SENATE BILL No. 1219

An act granting to the City of Eureka tide and submerged lands of the State of California, including the right to wharf out therefrom to the City of Eureka, and regulating the management, use and control thereof.

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Eureka, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all tide and submerged lands, whether filled or unfilled, situate in the County of Humboldt, State of California, and described as follows, to wit:

Beginning at the corner common to Sections 14, 15, 22 and 23, T. 5 N., R. 1 W., H. M.; thence north between Sections 14 and 15, T. 5 N., R. 1 W., H. M., 1,167.24 feet to the United States bulkhead line (established by the United States Government for the harbor lines of Humboldt Bay) said bulkhead line being the south line of Arcata Channel; thence along said United States bulkhead line N. 68° 37′ 20″ E. 251.37 feet; N. 62° 49′ 05″ E. 563.05 feet; N. 54° 30′ 36″ E. 1,559.20 feet to the end of said bulkhead line as established at present; thence continuing along the low water line of Humboldt Bay or the south margin of the Arcata Channel N. 57° 54′ 36″ E. 2,146.31 feet; thence leaving said south margin of Arcata Channel and run S. 27° 49′ 46″ E. 2,090 27 feet; thence S. 67° 16′ W. 2,580.85 feet to the end of the present bulkhead line as established along the north margin of Eureka Channel by the United States Government; thence along said United States Government bulkhead line above mentioned S. 65° 02′ 57″ W. 2,669.85 feet to the section line running between Sections 22 and 23, T. 5 N., R. 1 W., H. M.; thence north along said Section line 411.35 feet to the point of beginning, containing 189.10 acres; provided, that all that portion of land within the above described property conforming to the following description, to wit: All that portion of Woodley Island lying east of the section line between Sections 14 and 15 and 22 and 23, T. 5 N., R. 1 W., H. M., and claimed by Carson, Ohman and Elsemore, consisting of 14 8 acres, and all that portion of Daby Island within the above-mentioned description claimed by Thomas Bair, consisting of 18.1 acres, shall be excluded from this conveyance, leaving thereby subject to this grant a net acreage of 156.2 acres.

Said lands shall be forever held by said city, and by its successors, in trust for the uses and purposes, and upon the express conditions following, to wit:

That said lands shall be used by said city and its successors, solely for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatever; provided, that said city,

or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, for purposes consistent with the trusts upon which said lands are held by the State of California and with the requirements of commerce or navigation at said harbor, for a term not exceeding 25 years, and on such other terms and conditions as said city may determine, including a right to renew such lease or leases for a further term not exceeding 25 years or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases, and said lease or leases may be for any and all purposes which shall not interfere with navigation or commerce, with reversion to the said city on the termination of such lease or leases of any and all improvements thereon, and on such other terms and conditions as the said city may determine, but for no purpose which will interfere with navigation or commerce; subject also to a reservation in all such leases or such wharfing out privileges of a street, or of such other reservation as the said city may determine for sewer outlets, and for gas and oil mains, and for hydrants, and for electric cables and wires, and for such other conduits for municipal purposes, and for such public and municipal purposes and uses as may be deemed necessary by the said city, provided, however, that each person, firm or corporation or their heirs, successors or assigns now in possession of land or lands abutting on said lands within the boundaries of the City of Eureka, shall have a right to obtain a lease for a term of 25 years from said city of said land and wharfing out privileges therefrom with a right of renewal for a further term of 25 years pursuant to the provisions of this act and on such terms and conditions as said city may determine and specify, subject to the right of said city to terminate said lease at the end of the first 25 years or refuse to renew the same, or to terminate the lease so renewed during the term of such renewed lease on such just and reasonable terms for compensation for improvements at the then value of said improvements as said city may determine and specify.

Upon obtaining such lease and wharfing out privileges such person, firm or corporation, their heirs or assigns, shall quit-claim to said city any right they or any of them may claim or have to the said lands hereby granted.

This grant shall carry the right to such city of the rents, issues and profits in any manner hereafter arising from the lands or wharfing out privileges hereby granted.

The State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California.

No discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors in the management, conduct or operation of any of the utilities, structures or appliances mentioned in this section.

There is hereby reserved in the people of the State of California the right to fish in the waters on which said lands may front with the right of convenient access to said waters over said lands for said purpose

SENATE BILL No. 102

CHAPTER 187

An act granting to the City of Eureka tide and submerged lands of the State of California including the right to wharf out therefrom to the City of Eureka and regulating the management, use and control thereof.

[Approved by the Governor April 20, 1927]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Eureka, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all tide and submerged lands whether filled or unfilled, situate in the County of Humboldt of the State of California and described as follows, to wit:

Beginning at a point 1783 feet west and 474 feet north of the section corner, common to sections 13, 14, 23 and 24, township 5 north, range 1 west, Humboldt meridian, and running thence N. 60° 55′ E., 195 36 feet; thence N 60° 55′ E 195.36 feet; thence S. 80° 30′ E., 532.62 feet; thence S. 46° 33′ E , 325.38 feet; thence S 61° 40′ E., 474.54 feet; thence S. 52° 41′ E , 752.4 feet; thence S. 66° 03′ E., 367 62 feet; thence S. 51° 43′ E., 281 16 feet; thence S. 77° 00′ E , 509.52 feet; thence S. 66° 00′ E., 306.90 feet; thence S 38° 47′ E., 446 62 feet; thence S. 62° 52′ E., 323.24 feet; thence N. 85° 07′ E., 347.16 feet; thence S. 77° 10′ E , 182.82 feet; thence N. 61° 40′ E., 540.54 feet; thence N. 70° 21′ E., 543.84 feet; thence S. 49° 38′ E., 514 24 feet; thence N. 84° 36′ E., 338.58 feet; thence N. 73° 15′ E., 287.76 feet; thence N. 36° 22′ E., 345.18 feet; thence N. 18° 43′ E., 133 98 feet; thence N. 23° 12′ W., 295.68 feet; thence N. 11° 28′ E., 331 98 feet; thence N. 79° 40′ E , 960 feet; thence N. 33½° E., 680 feet, thence N. 45½° E., 660 feet; thence N. 22° E., 396 feet; thence N. 62° E , 475 feet; thence N. 86° E., 500 feet; thence S. 77° E., 540 feet; thence S 85° E., 370 feet; thence N. 62° E., 230 feet; thence N. 36° E., 380 feet; thence N 70½° E., 980 feet to the most southerly corner of tideland survey No. 121; thence N 29½° W., 1505 feet; thence N. 38° W., 2350 feet; thence N. 48½° W , 2838 feet; thence S. 61° 30′ W. 8030 feet; thence S. 27° 50′ E., 2090 27 feet; thence S. 67° 16′ W , 2580 feet; thence S. 81° E , 1100 feet to point of beginning, containing approximately 1299 acres.

Said lands shall be forever held by said city and by its successors, in trust for the uses and purposes, and upon the express conditions following, to wit:

That said lands shall be used by said city and its successors solely for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatever; provided, that said city, or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands

or any part thereof, for limited periods, for purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce or navigation at said harbor, for a term not exceeding 25 years, and on such other terms and conditions as said city may determine, including a right to renew such lease or leases for a further term not exceeding 25 years or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases, and said lease or leases may be for any and all purposes which shall not interfere with navigation or commerce, with reversion to the said city on the termination of such lease or leases of any and all improvements thereon, and on such other terms and conditions as the said city may determine, but for no purpose which will interfere with navigation or commerce; subject also to a reservation in all such leases or such wharfing out privileges of a street or of such other reservation as the said city may determine for sewer outlets, and for gas and oil mains, and for hydrants, and for electric cables and wires, and for such other conduits for municipal purposes and for such public and municipal purposes and uses as may be deemed necessary by the said city; provided, however, that each person, firm or corporation or their heirs, successors or assigns now in possession of land or lands abutting on said lands within the boundary of the City of Eureka shall have a right to obtain a lease for a term of 25 years from said city of said lands and wharfing out privileges therefrom with a right of renewal for a further term of 25 years pursuant to the provisions of this act and on such terms and conditions as said city may determine and specify, subject to the right of said city to terminate said lease at the end of the first 25 years or refuse to renew the same or to terminate the lease so renewed during the term of such renewed lease on such just and reasonable terms for compensation for improvements at the then value of said improvements as said city may determine and specify.

Upon obtaining such lease and wharfing out privileges such person, firm or corporation, their heirs or assigns, shall quit claim to said city any right they or any of them may claim or have to the said lands thereby granted.

This grant shall carry the right to such city of the rents, issues and profits in any manner hereafter arising from the lands or wharfing out privileges hereby granted.

The State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands or any part thereof, for any vessel or other watercraft, or railroad, owned or operated by the State of California.

No discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors in the management, conduct or operation of any of the utilities, structures or appliances mentioned in this section.

There is hereby reserved in the people of the State of California the right to fish in the waters on which said lands may front with the right of convenient access to said waters over said lands for said purpose.

SENATE BILL No. 406

CHAPTER 225

An act granting certain salt marsh, tide and submerged lands of the State of California to the City of Eureka, including the management, use, and control thereof.

[Approved by Governor May 3, 1945. Filed with Secretary of State May 3, 1945]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Eureka, a municipal corporation of the State of California, and to its successors, all the right, title and interest now held by the State of California by virtue of its sovereignty, in and to all lands, salt marsh, tidelands, submerged lands, and swamps and overflowed lands lying on the southerly, easterly and southeasterly side of the thread of the Main Channel and the Arcata Channel as the same now exists in Humboldt Bay, and situated within the following described sections, to wit: All of Secs. 14, 15, 22, 23, 24 and 33; the SW. ¼ of the SW. ¼ of Sec 13; the SE. ¼ of Sec. 16; the E. ½ and the SE. ¼ of the SW. ¼ of Sec. 21; the NW. ¼ of Sec. 27; the E. ½ of the NW. ¼, the E. ½ of the SW. ¼ and the SW. ¼ of the SW. ¼ of Sec 28; the E. ½ of the NE. ¼ and the SE. ¼ of Sec. 32; all in T. 5 N., R. 1 W., H. B. & M.; the N. ½ of Sec. 4; the NE. ¼ of Sec. 5; all in T. 4 N., R. 1 W., H. B & M.

To be forever held by said city, and its successors, in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands shall be used by said city, and its successors, only for the establishment, improvement, and conduct of a harbor, and for the construction, maintenance, and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures, facilities, and appliances necessary or convenient for the promotion and accommodation of commerce and navigation; and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said city, or its successors, may grant franchises thereon for limited periods (but in no event exceeding 50 years), for wharves and other public uses and purposes and may lease said lands, or any part thereof, for limited periods (but in no event exceeding 50 years), for purposes consistent with the trust upon which said lands are held by the State of California, and with the requirements of commerce and navigation at said harbor.

(b) That said lands shall be improved by said city without expense to the State, and shall always remain available for public use for all purposes of commerce and navigation, and the State of California shall have at all times, the right to use, without charge, all wharves, docks, piers, slips, quays, and other improvements and facilities constructed on said lands, or any part thereof, for any vessel or railroad, owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures, appliances or facilities mentioned in paragraph (a), no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

(d) There is hereby reserved, however, in the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands for said purposes.

(e) There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said land, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from said land.

(f) The lands herein described are granted subject to the express reservation and condition that the State may at any time in the future use said lands or any portion thereof for highway purposes without compensation to the city, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements taken or the damages to such interest.

SEC. 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, the remainder of this act, or the application of such provision to other persons or circumstances, shall not be affected thereby.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF EUREKA

OFFICE OF THE
MAYOR
CITY OF EUREKA, CALIFORNIA
JOHN F. LANGER, JR., MAYOR

March 13, 1951

MR. G. DELBERT MORRIS, *Member of Assembly*
California Legislature, Sacramento 14, California

HONORABLE SIR: I am submitting answers to the questions enclosed in your communication of February 19, 1951.

Trusting this information will be of help to you for the facts that are necessary for the desired legislative action.

Yours truly,

J. F. LANGER, JR.
Mayor

ANSWERS TO QUESTIONNAIRE

1. The mayor and superintendent of public works.
2. Whenever a prospective renter appears desiring to lease or rent tideland property, according to our charter, we have to advertise said piece of property for lease or rent and prospective tenant bids on the property.
3. We have floated a bond issue for the sum of $200,000 for the development of a small boat harbor for recreation and fishing boats.
4. Part of the property under lease have buildings on it and the tenants, according to lease agreement, maintain them and make any alteration at their expense with the city council approval. One company has a 50-year lease and their plans call for approximately a $250,000 expenditure. Another company expects to spend $75,000 for needed improvements.
5. We have five leases in effect at the present time.
6. Our approximate yearly revenues are around $6,000. This is used to retire the $200,000 bonded indebtedness.
7. The leased lands are used by a shipping corporation, two oil corporations and three fish companies.
8. No.
9. No.

ANALYSIS OF THE REPLY OF THE CITY OF EUREKA

The reply of the City of Eureka is indefinite with respect to the development and improvement of the granted lands, in that the answer by the city to Question 2 of the questionnaire appears to have no relationship to the question. The answer to Question 3 discloses that action has been taken leading to certain developments and improvements which will in the future constitute substantial compliance with the statutes of grant, but the present use and administration of the granted lands is not shown. The uses to which such lands are put by the five lessees thereof should be examined by the committee. Admitted use of the granted lands by a shipping corporation, two oil corporations, and three fishing companies may or may not constitute violation of the conditions of the statutes of grant or of the public trust under which such lands are held by the city.

Conclusion. The reply of the City of Eureka is unsatisfactory, and further investigation is required, in the following particulars: Additional and more explicit information is necessary regarding the development and improvement of the granted lands and regarding leases thereof and franchises thereon, so that the data relating thereto available to the committee will be more definite and certain. Further investigation and examination will enable the committee to determine any unauthorized use and administration of the granted lands and the advisability of reacquisition of the granted lands by the State of California.

CITY OF LAGUNA BEACH

ASSEMBLY BILL No. 31

CHAPTER 50

An act granting certain tidelands and submerged lands of the State of California to the City of Laguna Beach upon certain trusts and conditions.

[Approved by the Governor April 6, 1929]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Laguna Beach, a municipal corporation of the State of California, and to its successors, all of the right, title and interest of the State of California, held by the State of California by virtue of its sovereignty, in and to all of the tidelands and submerged lands, whether filled or unfilled, bordering upon, under, and situated below the ordinary high-tide line of the Pacific ocean, or of any harbor, estuary, bay or inlet, which are within the corporate limits of said city, to be forever held by the City of Laguna Beach and by its successors, in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That none of said lands shall be used or devoted to any purposes other than public park, parkway, highway, playground, or public recreation or enjoyment, the establishment, improvement and conduct of a harbor and the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation; and the City of Laguna Beach, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatsoever; provided, however, that nothing herein contained shall be so construed as to prevent the use or granting of easements, franchises or leases for limited periods, or rights of way in, under, over or across said tidelands or submerged lands for power, telephone, telegraph or cable lines or landings, sewage disposal conduits and other sewage works, wharves and other public uses and purposes consistent with the trusts upon which said lands are held.

(b) That such lands devoted to the conduct of a harbor shall be improved by the City of Laguna Beach without expense to the State and such harbor shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbor, or any of the utilities, structures or appliances mentioned in paragraph (a) no discrimination in rates, tolls or charges, or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by the City of Laguna Beach or by its successors.

(d) The absolute right to fish in the waters of the Pacific Ocean over said tidelands and submerged lands, with the right of convenient access to said waters over said lands for such purpose is hereby expressly reserved to the people of the State of California.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF LAGUNA BEACH

City of Laguna Beach

LAGUNA BEACH, CALIFORNIA

OFFICE OF
ED H. BEAVER
CITY CLERK

306 THIRD STREET
TELEPHONE 4-1041

March 17, 1951

THE HONORABLE G. DELBERT MORRIS
Chairman, Interim Committee on Petroleum Problems
State Capitol, Sacramento 14, California

DEAR SIR: Your letter of February 19, 1951, directed to former Mayor Emerson B. Milnor, enclosing questionnaire relative to tidelands and submerged lands granted this city by the State, has been referred to the undersigned for answer.

I have answered the questions and am enclosing the questionnaire herewith.

Very truly yours,

ED H. BEAVER
City Clerk

QUESTIONNAIRE REGARDING TIDELANDS AND SUBMERGED LANDS GRANTED BY THE STATE

1. What officer or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the State? None appointed.
2. What action has been or is being taken for the development and improvement of the granted lands? None.
3. Have public funds been expended for such purposes, and, if so, approximately in what amount? No.
4. What improvements have been made pursuant to franchises or leases and what is the approximate value thereof? None.
5. What franchises or leases of such lands are currently in effect? None.
6. What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which such revenues are used? None.
7. To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations? No occupancy.
8. Has the local agency been divested of title or right to possession of any of the granted lands by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise? No.
9. Have any judicial proceedings been commenced against the local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment. No.

ANALYSIS OF THE REPLY OF THE CITY OF LAGUNA BEACH

The reply of the City of Laguna Beach to the questionnaire is self-explanatory. It is evident that there has been a complete lack of compliance by the city with the intents, purposes, and conditions of the statute of grant, in that there has been no action taken toward development and improvement of the granted lands.

Conclusion. The recommendation of the committee with respect to the lands granted to the City of Laguna Beach is set forth in the recommendations by the committee set forth at the conclusion of this report.

CITY OF LONG BEACH

CHAPTER 676

An act granting to the City of Long Beach the tidelands and submerged lands of the State of California within the boundaries of the said city.

[Approved May 1, 1911]

The people of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby granted to the City of Long Beach, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all the tidelands and submerged lands, whether filled or unfilled, within the present boundaries of said city, and situated below the line of mean high tide of the Pacific Ocean, or of any harbor, estuary, bay or inlet within said boundaries, to be forever held by said city, and by its successors, in trust for the uses and purposes, and upon the express conditions following, to wit:

(a) That said lands shall be used by said city and by its successors, solely for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatsoever; provided, that said city, or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, for purposes consistent with the trusts upon which said lands are held by the State of California and with the requirements of commerce or navigation at said harbor;

(b) That said harbor shall be improved by said city without expense to the State, and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California;

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls, or charges, or in facilities, for any

use or service in connection therewith shall ever be made, authorized or permitted by said city or by its successors;

Reserving, however, in the people of the State of California the absolute right to fish in the waters of said harbor, with the right of convenient access to said waters over said lands for said purpose.

ASSEMBLY BILL No. 1236

CHAPTER 102

An act granting certain tidelands and submerged lands of the State of California to the City of Long Beach upon certain trusts and conditions.

[Approved by the Governor April 28, 1925]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Long Beach, a municipal corporation of the State of California, and to its successors, all of the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all of the tidelands and submerged lands, whether filled or unfilled, bordering upon, under, and situated below the mean high-tide line of the Pacific Ocean, or of any harbor, estuary, bay or inlet, which are within the corporate limits of said city, to be forever held by said city, and by its successors, in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That none of said lands shall be used or devoted to any purposes other than public park, parkway, highway, playground, the establishment, improvement and conduct of a harbor and the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation; and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatsoever; provided, however, that nothing herein contained shall be so construed as to prevent the granting or use of easements, franchises or leases for limited periods, or rights of way in, under, over or across said tidelands or submerged lands for power, telephone, telegraph or cable lines or landings, sewage disposal conduits, wharves and other public uses and purposes consistent with the trusts upon which said lands are held.

(b) That said lands devoted to the conduct of a harbor shall be improved by said city without expense to the State and such harbor shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls or charges, or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or by its successors.

(d) The absolute right to fish in the waters of the Pacific Ocean over said tidelands and submerged lands, with the right of convenient access to said waters over said lands for said purpose is hereby expressly reserved to the people of the State of California.

ASSEMBLY BILL No. 2387

CHAPTER 158

An act to amend Section 1 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Long Beach upon certain trusts and conditions," approved April 28, 1925, relating to the use of such tidelands and submerged lands.

[Approved by the Governor May 7, A D. 1935]

The people of the State of California do enact as follows:

SECTION 1. Section 1 of the act cited in the title hereof, is hereby amended to read as follows:

Section 1. There is hereby granted to the City of Long Beach, a municipal corporation of the State of California, and to its successors, all of the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all of the tidelands and submerged lands, whether filled or unfilled, bordering upon, under and situated below the mean high-tide line of the Pacific Ocean, or of any harbor, estuary, bay or inlet, which are within the corporate limits of said city, to be forever held by said city, and by its successors, in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That none of said lands shall be used or devoted to any purposes other than public park, parkway, highway, playground, the establishment, improvement and conduct of a harbor and the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation; and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatsoever; provided, however, that nothing herein contained shall be so construed as to prevent the granting or use of easements, franchises or leases for limited periods, or rights of way in, under, over or across said tidelands or submerged lands for power, telephone, telegraph or cable lines or landings, sewage disposal conduits, wharves and other public uses and purposes consistent with the trusts upon which said lands are held, or the leasing or use of such tidelands or submerged lands for limited periods for the construction, maintenance, and operation of nonprofit benevolent and charitable institutions organized and conducted for the promotion of the moral and social welfare of seamen, naval officers and enlisted men, and other persons engaged in and about the harbor and commerce, fishery, and navigation.

(b) That said lands devoted to the conduct of a harbor shall be improved by said city without expense to the State and such harbor shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have, at all times, the

right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California.

(c) That in the management, conduct, or operation of said harbor, or any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls or charges, or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or by its successors.

(d) The absolute right to fish in the waters of the Pacific Ocean over said tidelands and submerged lands, with the right of convenient access to said waters over said lands for said purpose is hereby expressly reserved to the people of the State of California.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF LONG BEACH

CITY OF LONG BEACH

Long Beach 2, California

CARL B WIRSCHING
City Manager

October 11, 1948

October 11, 1948

HONORABLE RALPH C. DILLS, Assemblyman
69th District, *California Legislature*
State Capitol, Sacramento 14, California

DEAR SIR: On August 11, you forwarded to Mayor Chace, City of Long Beach, a questionnaire requesting information regarding tidelands and submerged lands granted by the State. This questionnaire has been answered in full and is attached herewith.

You will note that a portion of the questionnaire has been answered by including certain material identified as Exhibits A, B, C, and D, these being a statement, under oath, made by Irving M. Smith, City Attorney, and certain letters received in this office in regard to revenues since January 1, 1948.

We have made every effort to give complete answers to your questions, and hope that this information will meet with your satisfaction.

Yours very truly,

CARL B. WIRSCHING
City Manager

QUESTIONNAIRE REGARDING TIDELANDS AND SUBMERGED LANDS GRANTED BY THE STATE

Question: Which office or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the State?

Answer: The tidelands and submerged lands within the harbor district are administered by the Board of Harbor Commissioners and the port manager of the city. The tidelands and submerged lands within the city limits outside the harbor district are administered by the city manager subject to policy determined by the city council.

Question: What action has been or is being taken for the development and improvement of the granted lands?

Question: Have public funds been expended for such purposes, and, if so, approximately in what amount?

Answer: Attached herewith marked "Exhibit A" is a statement entitled, "Statement of Irving M. Smith, City Attorney, on Behalf of the City of Long Beach, California, to the Committee on the Judiciary of the United States Senate in Support of S. 1988," which fully answers Questions 2 and 3, for the period prior to January 1, 1948. Also attached herewith marked "Exhibits B, C, and D," are copies of letters addressed to the city manager submitting statements for the period January 1, 1948, to the present time.

Question: What improvements have been made pursuant to franchises or leases and what is the approximate value thereof?

Answer: The only lease is that held by Neptune Pier Company which was granted May 29, 1914, expiring December 1, 1948, pursuant to which said pier company constructed the Neptune Pier and improvements thereon.

Question: What franchises or leases of such lands are currently in effect?

Answer: Under an agreement entered into with said company April 2, 1942, the city receives $1,000 a year.

Question: What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which said revenues are used?

Answer: See Exhibits A, B, C, and D.

Question: To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations?

Answer: The City of Long Beach occupies, maintains, and controls all the subject lands. Under contractual agreements, portions of said lands are used by Long Beach Oil Development Company, a corporation; and Richfield Oil Company, a corporation, for oil development. Except for the franchise-lease to Neptune Pier Company, above referred to, and two minor leases on short term bases to catering companies, there are no other leaseholds. As to port facilities, a number of steamship companies maintain offices under revocable permits.

Question: Has your local agency been divested of title or right to possession of any of the granted lands by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise?

Answer: The answer is "no."

Question: Have any judicial proceedings been commenced against your local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment.

Answer: Although the city is not a party to the case of *United States of America* v *California*, No. 12 Original, that litigation affects all the tidelands and submerged lands within the city limits and three miles from shore, granted to the city by the State of California by the grant of May 1, 1911 (1911 Statutes, p. 1304), as amended by the 1925 and 1935 grants (1925 Statutes, p. 235, and 1935 Statutes, p. 794). There are 13,027 acres of tidelands and submerged lands, including reclaimed

tide and submerged lands within the corporate limits of the city, which have been conveyed to the city by said state grants. The city's interest in said litigation is set forth in the accompanying statement above referred to at pages 14 and 15.

A suit is pending, i.e., *Long Beach Bath House and Amusement Company, a corporation, and Continental Southern Corporation, Plaintiffs,* v. *City of Long Beach,* No. 530211, in the Superior Court of the State of California, in and for the County of Los Angeles. In this suit the plaintiffs claim title to the accretions between Rainbow Pier and Silver Spray Pier. The city has filed an answer therein claiming ownership of said accretions. This case has not yet been set for trial.

Another suit is pending, i.e., *Albert V. Abrams, Leona E. Abrams, Vaughn M. Abrams and Gwenwyne Abrams, Plaintiffs,* v. *City of Long Beach et al.,* No. 546583, in the Superior Court of the State of California, in and for the County of Los Angeles. In this suit plaintiffs claim some rights in the tidelands and submerged lands within the Harbor District and those outside of and east of the Harbor District up to a line running north and south approximating the line of Pine Avenue projected seaward. Plaintiffs claim that said tide and submerged lands are owned by the Federal Government and their rights therein are based upon certain applications filed with the Federal Government for oil and gas leases covering said lands Plaintiffs seek to enjoin the city and its oil drilling contractors from drilling oil wells and operating the same and for an accounting of all moneys received by the city from its tideland oil development. The city has filed its answer denying that said tidelands and submerged lands are owned by the Federal Government and asserting that title thereto is vested in the City of Long Beach. This case has not yet been set for trial.

There are no other suits or judicial proceedings now pending affecting the city's title or right to possession of the tidelands and submerged lands conveyed to it by state grants.

Exhibit A

Statement of Irving M. Smith, City Attorney, on Behalf of the City of Long Beach, California, to the Committee on the Judiciary of the United States Senate in Support of S. 1988

Mr. Chairman and Members of the Committee:

My name is Irving M. Smith, City Attorney of the City of Long Beach, California. I appear on behalf of the City of Long Beach to urge favorable action on and adoption by the Congress of Bill No. S. 1988, now being considered by your committee, whereby the Federal Government shall recognize, confirm, establish and vest in the respective states and their respective grantees and all persons lawfully entitled thereto title to and ownership of all lands beneath navigable waters within the boundaries of the respective states, and the natural resources within such lands and waters, and the right and power to control, develop and use said natural resources in accordance with applicable state law, to the end that by said legislation the City of Long Beach shall not be disturbed in its rights, title and possession in and to lands beneath navigable waters within its corporate limits conveyed to it by the State of California, and the right and power to control, develop and use the natural resources within such lands.

INTEREST OF CITY OF LONG BEACH IN PENDING LEGISLATION

The City of Long Beach is a municipal corporation, organized and existing under and by virtue of Sections 6 and 8 of Article XI of the Constitution of the State of California, and operating under a freeholders' charter (California Statutes 1921, page 2054). The southerly boundary of the City of Long Beach since prior to 1911, as established by its city charter, is fixed as extending three miles from the line of ordinary high tide into San Pedro Bay, bordering upon the Pacific Ocean, between the easterly and westerly boundaries of the city. The waterfront of the city consists of 8 11 miles and thereon is located one of the major municipally owned harbors and ports of the Pacific Coast.

On May 1, 1911, the State of California granted to the City of Long Beach "all of the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all of the tidelands and submerged lands, whether filled or unfilled, bordering upon, under and situated below the mean high tide line of the Pacific Ocean, or of any harbor, estuary, bay or inlet, which are within the corporate limits of said city," (1911 Statutes, page 1304) in trust, to be used by the city solely for the establishment, improvement and conduct of a harbor and for the construction of wharves, docks, piers and structures necessary or convenient for the promotion and accommodation of commerce and navigation This legislative grant was amended by the 1925 and 1935 Legislatures (1925 Statutes, page 235, and 1935 Statutes, page 794). These amendments authorized the use of said tide and submerged lands, in addition to the purposes previously noted, for public parks, parkways, highways and playgrounds. Since May 1, 1911, the City of Long Beach has exercised proprietary control and jurisdiction over said tide and submerged lands by appropriate procedure for the uses authorized and in the public interest.

There are 13,027 acres of tide and submerged lands, including reclaimed tide and submerged lands, within the corporate limits of the city which have been conveyed to the city by state grants. The city has filled and reclaimed 580 acres of said submerged lands, at considerable public expense to the taxpayers of the city, and plans for future harbor development by the city call for the filling and reclaiming of an additional 570 acres. The city has made vast and costly improvements upon these lands underlying navigable waters I will summarize briefly the nature and extent of these improvements.

HARBOR FACILITIES

Harbor facilities of the City of Long Beach have been constructed entirely upon reclaimed submerged lands granted to the city by the State of California, at a cost to the city in an amount in excess of $15,500,000, with additional new port facilities in process of construction under existing contracts at an additional cost of $7,575,641. Projected harbor improvements planned by the city call for an additional expenditure of $97,498,000, a great portion of which will be expended for development of harbor facilities upon reclaimed tide and submerged lands.

In excess of 12,000 lineal feet of wharves and docks, accommodating approximately 25 berths, have been constructed or are under construction by the city upon reclaimed tide and submerged lands. Over 17 miles

of railroad trackage has been installed by the city on reclaimed tide and submerged lands. Three hundred thirty-two acres have been filled and reclaimed on said lands, 127 acres of which have been improved for open storage of cargo, and in excess of seven acres improved with transit sheds on piers and docks. An additional area consisting of 40 acres is in the course of being reclaimed and filled, together with in excess of five acres of additional covered storage area in the form of transit sheds on piers and docks.

Projected harbor development plans call for the filling of 570 acres of submerged lands upon which will be constructed approximately 50,000 lineal feet of wharves, which will accommodate 75 additional berths; 445 acres thereof will be improved for open storage of cargo and 120 acres thereof improved with transit sheds on piers and docks. In excess of 58 miles of railroad trackage will be installed thereon.

One million one hundred forty-four thousand thirty-five tons of cargo, including both imports and exports, were handled over city's municipal docks during the 12-month period ending December 31, 1947. For said period the city received $697,500.45 as revenue for dockage, wharfage, fees and rentals, exclusive of oil income, incidental to the use of port facilities heretofore mentioned constructed by the municipality on reclaimed tide and submerged lands.

In addition to these harbor installations made by the city, the Federal Government expended in excess of $5,000,000 for the construction of pier facilities upon approximately 30 acres of submerged lands granted to the city by the State of California, under the terms of a lease entered into by the United States with the city on October 8, 1943. Said pier extends out into San Pedro Bay, bordering the Pacific Ocean, a distance of approximately 4,690 feet Under the terms of paragraph 15 of said lease the city agreed, upon termination thereof, to purchase from the government all permanent improvements constructed by the government, at a price and upon terms to be negotiated. A supplemental agreement was entered into between the city and the Federal Government on April 18, 1947, whereby said lease was terminated and the Federal Government transferred to the city title to said improvements in consideration of the payment of $1,000,000 by the city to the Federal Government. Concurrently with the execution of said supplemental agreement the city paid to the Federal Government the sum of $1,000,000 for said improvements.

RAINBOW PIER—PARK—MUNICIPAL AUDITORIUM

During the years 1928, 1929, and 1930 the city, out of revenues provided by bonds voted by the electorate and at a cost of $1,067,343.37, constructed a pier known as Rainbow Pier, semicircular in design, 3,802 feet in length and extending into the submerged lands granted to the city by the State of California approximately 1,400 feet from mean high tide line, thereby enclosing approximately 47 acres, within which an eight-acre fill was made and developed into a park and upon which was constructed a municipal auditorium, at a total cost to the city of an additional sum of $1,664,371.49.

BEACHES—RECREATION AREAS

In addition to the installations heretofore mentioned, more than five miles of public beaches, parks and recreational areas have been constructed and improved upon approximately 200 acres of reclaimed submerged lands, at cost to the city in the sum of $1,115,946. In furtherance of this program of municipal beach recreation development, the city has acquired in excess of 70 percent of all the upland parcels of land bordering the ocean along the entire beach frontage within the city, in order to guarantee the use of said reclaimed submerged areas for recreational use of the public and at additional cost to the city in the sum of $666,493.

OIL DEVELOPMENT

Oil was discovered in privately owned uplands adjacent to the tide and submerged lands conveyed to the city by the State in the Harbor District of the city in 1936, and, in order to protect the municipality's property rights in said tide and submerged lands from drainage by petroleum development on adjacent upland areas by private interests, on March 15, 1939, the city entered into four drilling and operating contracts with the Long Beach Oil Development Company, covering parcels containing approximately 1,143 acres of submerged and reclaimed tide and submerged lands in the Long Beach Harbor. Except as to description of parcels, these contracts are identical as to terms and provisions For convenience, these parcels were described as "W," "X," "Y" and "Z." A certified copy of said contract covering Parcel "W" will be filed with your honorable committee. A similar contract was entered into between the city and said company on January 2, 1942, covering an additional parcel containing approximately 95 acres of submerged and reclaimed tide and submerged lands, described as "Z-1," and a sixth contract was entered into between the same parties on August 3, 1944, covering an additional parcel containing approximately 231 acres of submerged and reclaimed tide and submerged lands, described as Parcel "J."

All of the area covered by said contracts consists entirely of submerged and reclaimed tide and submerged lands and extends southerly into San Pedro Bay, bordering the Pacific Ocean, approximately one-half mile from the line of ordinary high tide prior to reclamation. Under the terms of each of said drilling and operating contracts the development company becomes an independent contractor and agrees to supervise and manage development work for and on behalf of the city, and as compensation therefor receives 14.45 percent of the proceeds derived from the sale of oil and gas produced under said contracts. The city receives 85.55 percent of the proceeds from the sale of oil and gas produced, out of which all drilling and maintenance and operation costs are paid, subject to certain limitations constituting ceilings upon maximum drilling and operating costs under the terms of said contracts. The city receives a net minimum of 30 percent revenue from the sale of oil and gas, whether or not 55 55 percent of the revenue derived from the sale of oil and gas is sufficient to pay the costs of development and operations. Furthermore, the city receives all the dry gas (excepting the amount necessary for development operations), delivered to its gas department for distribution by the city to consumers in and adjacent to

the city. Under these contracts, from March 15, 1939, to November 30, 1947, 348 wells have been drilled and placed on production and have produced 53,056,037 barrels of oil. 85.55 percent of the gross revenue received from the sale of oil was paid to the city in the sum of $59,142,-390.36. The net revenue received by the city after payment of all costs for drilling, maintenance and operation of said wells was in the sum of $31,509,589.87, plus tangible oil field equipment of the estimated value of $11,500,000. In addition to said revenue received by the city from the sale of oil, dry gas has been delivered to the city's gas department in the total amount of 29,715,684 MCF, which in turn has been delivered to consumers within and adjacent to the city, at considerable profit to the city. A summary of these operations and returns by years to November 30, 1947, will be filed with this honorable committee.

On March 12, 1947, the city entered into a drilling and operating contract, pursuant to public bidding procedure, with Richfield Oil Corporation, covering approximately 234 acres of submerged and reclaimed tide and submerged lands within the City of Long Beach and adjacent to Parcel "J" heretofore referred to. The terms and provisions of said drilling and operating contract are similar to those entered into with Long Beach Oil Development Company previously referred to, except under the drilling and operating contract with Richfield, said contractor receives 5 9 percent of the proceeds derived from the sale of oil and gas produced thereunder and the city receives 94.1 percent of the proceeds of the sale of said oil and gas produced, out of which drilling and maintenance and operations costs are paid. Under this latter contract the city receives a net minimum of 60.1 percent of the revenue derived from the sale of all oil and gas, whether or not 34 percent of the revenue from the sale of oil and gas is sufficient to pay the costs of development and operations. Under this latter contract, from March 12, 1947, to November 30, 1947, 13 wells have been drilled and placed on production, which have produced 116,927 barrels of oil. Ninety-four and one-tenth percent of the gross revenue received from the sale of oil was paid to the city in the sum of $201,312 86 The net revenue paid to the city over and above all costs of drilling, maintenance and operation was in the sum of $128,-575.58, plus tangible oil field equipment of a very substantial value. In addition to said revenue received by the city from the sale of oil, dry gas has been delivered to the gas department of the city in the total amount of 52,175 MCF. A summary of these operations will be filed with this honorable committee.

Under the provisions of Section 229x of the city charter, as amended, all revenues derived by the city from the proceeds of oil produced from the tide and submerged lands are required to be deposited in the Harbor Revenue Fund and the Harbor Bond Redemption and Interest Fund and used exclusively for harbor development and maintenance and other harbor purposes consistent with the uses specified in the grants made by the State of California to the city and for the payment of principal and interest on the 1924 and 1926 harbor bonds issued by the city for harbor improvements. All of the funds thus derived have been devoted exclusively for such uses and purposes

Under the provisions of the first six drilling and operating contracts entered into by the city for the development of petroleum deposits contained in tide and submerged lands, the city receives a minimum net cash

return of 30 percent of all revenues derived from the sale of oil produced from said lands. To November 30, 1947, the actual net cash received by the city under one of said contracts exceeded 54 percent, and the smallest amount under any of said contracts exceeded 41 percent of all revenue derived from the sale of oil produced thereunder, plus millions of dollars worth of oil field equipment, in addition to 100 percent of the resulting dry gas (excepting the amount required in the development operations), sold at additional profit to the city. The average net cash received by the city to November 30, 1947, under said six contracts was 46 percent of all revenue derived from the sale of oil produced thereunder. Under the drilling and operating contract entered into with Richfield Oil Corporation the actual net cash received by the city amounted to 61.1 percent of all revenue derived from the sale of oil and gas produced thereunder.

It has been reported and it is believed that in no other instance anywhere in these United States have oil development contracts or leases been made returning to the landowner such a large percentage of the revenue received from the oil produced. It is customary for such contracts and leases to provide for the return to the landowner ranging from 12½ percent to 16⅔ percent, whereas the City of Long Beach receives 85.55 percent to 94.1 percent, less the cost of drilling and maintenance, and guaranteed minimum net cash of 30 percent to 60.1 percent, with actual net cash received as of November 30, 1947, averaging 46 percent under six contracts and 60.1 percent under another, plus millions of dollars worth of dry gas and capital inventory of oil field equipment. All revenues received by the city under the provisions of law are expended for the development of a great public harbor, in addition to other valuable benefits and services to the general public.

CITY'S TITLE SETTLED BY SUPREME COURT

The expenditure of many millions of dollars of public funds by the City of Long Beach in the development of the tide and submerged lands heretofore mentioned has been made in good faith and in reliance on the rule of property that the title to such lands is vested in the states and their grantees, as confirmed throughout the past 100 years by more than 50 decisions of the Supreme Court of the United States, 244 decisions of federal and state courts, 31 rulings by Secretaries of the Interior, and 49 opinions of Attorneys General of the United States. Our own State Supreme Court in 1937, in the case of *City of Long Beach* v. *Marshall*, 11 Cal. (2d), page 609, held that the City of Long Beach received the fee title to all the tide and submerged lands within its city boundaries from the State of California under the grant from the State Legislature of May 1, 1911. The California Supreme Court in that decision cited and relied upon decisions of the Supreme Court of the United States upon the subject matter, and at page 614 therein stated:

> "It is established law that the State became the owner of tidelands in fee simple upon its admission to the Union, holding them subject to the public trusts for navigation, commerce and fishing (*Shively* v. *Bowlby*, 152 U. S. 1 * * *; *Borax Consolidated* v. *Los Angeles*, 296 U. S. 10 * * *); that it likewise became owner of the minerals therein (*Boone* v. *Kingsbury*, 206 Cal. 148, 170 * * *); and it should reasonably follow that it has the power to grant these lands to municipalities, subject to those same trusts."

In this case the Supreme Court had before it all the tide and submerged lands lying seaward from the mean high tide line three miles within the city limits—that is, all that had been granted to the city by the State. When the court said it was established law that the tidelands belonged in the first instance to the State, the meaning of the word "tidelands" was not limited to the narrow strip between high and low tide which is subject to the daily ebb and flow of the tide. On the contrary, the word "tidelands" was deliberately used to describe all the lands conveyed to the city which, as heretofore stated, extend three miles seaward from the mean high tide line.

FEDERAL RECOGNITION OF CITY'S TITLE

Although oil has been produced from tide and submerged lands of the Pacific Ocean off the coast of California for more than 50 years (Summerland—1896; Bulletin No. 118, California Department Natural Resources), the title of the State of California (and the City of Long Beach, as grantee of the State) to the tide and submerged lands within three miles from shore of the Pacific Ocean was not questioned by any federal official or private citizen until oil was discovered in the Harbor District of the City of Long Beach in the year 1936. In fact, public records are replete with instances wherein the Federal Government and its officials recognized that the City of Long Beach held the title to its tide and submerged lands. As an example of one such instance of recognition of title, the Secretary of the Interior, Harold L. Ickes, under date of December 22, 1933, wrote a letter to a Long Beach citizen by the name of Olin S. Proctor rejecting an application for an oil and gas lease or permit covering a parcel of submerged land lying within the city limits of the City of Long Beach, and a part of the tide and submerged lands conveyed to the city by the State of California in 1911. Said letter reads as follows:

"THE SECRETARY OF THE INTERIOR
WASHINGTON

December 22, 1933

"MR. OLIN S. PROCTOR,
521 East Ocean Boulevard,
Long Beach, California.

"MY DEAR MR. PROCTOR: I have received, by reference from the Department of State, copies of your letters of October 15 and November 22.

"As to the jurisdiction of the Federal Government over lands bordering on tide water, the Supreme Court of the United States has held in the case of *Hardin* v. *Jordan* (140 U. S. 371), as follows:

" 'With regard to grants of the government for lands bordering on tide water, it has been distinctly settled that they only extend to high-water mark, and that the title to the shore and lands under water in front of lands so granted enures to the state within which they are situated, if a state has been organized and established there. Such title to the shore and lands under water is regarded as incidental to the sovereignty of the state—a portion of the royalties

belonging thereto and held in trust for the public purposes of navigation and fishery—and cannot be retained or granted out to individuals by the United States.'

"The foregoing is a statement of the settled law, and therefore no rights can be granted to you either under the leasing act of February 25, 1920 (41 Stat. 437), or under any other public land law to the bed of the Pacific Ocean either within or without the three-mile limit. Title to the soil under the ocean within the three-mile limit is in the State of California, and the land may not be appropriated except by authority of the State. A permit would be necessary to be obtained from the War Department as a prerequisite to the maintenance of structures in the navigable waters of the United States, but such a permit would not confer any rights to the ocean bed.

"I find no authority of law under which any right can be granted to you to establish your proposed structures in the ocean outside the three-mile limit of the jurisdiction of the State of California, nor am I advised that any other branch of the Federal Government has such authority.

"Sincerely yours,

HAROLD L. ICKES, Secretary of the Interior."

A photostatic copy of the letter referred to will be filed with this honorable committee.

SPECULATORS AND PROMOTERS FILE ON TIDE AND SUBMERGED LANDS WITH DEPARTMENT OF INTERIOR

Following the discovery of oil in the submerged lands granted to the city by the State of California in the Harbor District of the city in 1936, as of July 7, 1947, 90 oil and gas lease applications under the Federal Mining Leasing Act of 1920, as amended, have been filed by speculators and promoters in the General Land Office of the Department of Interior, covering the greater portion of the 13,027 acres of said tide and submerged lands conveyed to the city, and 25 certificates of location under an Act of Congress of April 5, 1872, commonly known as the Valentine Scrip Act, and two certificates of location under an Act of Congress of February 10, 1855, commonly known as the Gerard Scrip Act, have likewise been filed with the General Land Office and Department of Interior covering portions of said lands. Said filings are made upon the theory that said tide and submerged lands are public lands of the Federal Government These applications are made by private citizens and corporations and cover parcels of tide and submerged lands and reclaimed tide and submerged lands title to which the city contends was conveyed to it by the State of California. These filings are located upon the entire 8.11 miles of waterfront of the City of Long Beach and extend seaward several miles, and likewise cover all of the municipality's harbor facilities, recreation and park improvements heretofore referred to, constructed by the city at a cost exceeding $25,000,000. Many of these applications have been held pending in the Department of the Interior for years. However, it is believed that approximately 58 of said 90 oil and gas lease applications were denied by a decision of the Department of the Interior dated September 8, 1947. A list of these applications will be filed with this honorable committee.

An outstanding example of the locations selected by one of the speculator-promoters making application for oil and gas leases as aforesaid are two such filings made by Robert E. Lee Jordan, Applications No. 052975 and No. 052976, both filed April 6, 1937. The first mentioned covers a large submerged area including within its boundaries portions of the federal breakwater, and the latter covers a large area including therein extensive harbor improvements constructed by the city at the cost of millions of dollars. To the best of our knowledge these two applications have not been denied by action of the Department of the Interior and the applicant has been and is now vigorously prosecuting said applications in an effort to obtain rights through the Federal Government to the lands covered therein, and thereby evict the City of Long Beach from the port improvements constructed by it and from possession of all the lands covered by said applications conveyed to the city by grant from the State. A U. S. Coast and Geodetic Survey map of Los Angeles and Long Beach Harbors upon which has been portrayed the areas covered by said two filings will be filed with this honorable committee.

UNITED STATES OF AMERICA V. STATE OF CALIFORNIA

The United States Supreme Court, in the case of *United States of America* v. *California,* No 12 Original, on June 23, 1947, rendered a decision holding that the Federal Government has certain paramount powers with respect to the "three-mile marginal belt" lying seaward of the ordinary line of the low-water mark on the coast of California and outside inland waters of the State of California and that the State of California has no title thereto or any property interest therein. The entire 13,027 acres of tide and submerged lands within the city limits of the City of Long Beach conveyed to it by grants from the State of California lie within San Pedro Bay, an inland water of the State of California. In the case of *United States* v. *Carrillo,* 13 Fed. Supp. 121, the Federal District Court held that San Pedro Bay was demarked from the open sea by a line drawn from Point Fermin to Point Lasuen; all of said tide and submerged lands conveyed to the city are located landward of said line. However, in said pending suit against the State of California the Department of Justice does not concede such to be the case, and said matter has not been determined by the Supreme Court in said litigation. The Attorney General for the Federal Government has filed with the Supreme Court a Petition for Entry of a Supplemental Decree, together with a form of proposed Supplemental Decree, in which it is sought to have the court establish a line demarking San Pedro Bay from the "three-mile marginal belt." Said proposed Supplemental Decree, if adopted by the court, will place all but a very small portion of San Pedro Bay in the "three-mile marginal belt" and thereby the City of Long Beach will lose its title, ownership, possession and control of all but a small portion of the 13,027 acres of tide and submerged lands within its city limits, conveyed to it by grants from the State of California.

The executive departments of the Federal Government are unwilling to recognize San Pedro Bay as inland waters of the State of California as determined by judicial precedent, and as established by geographical, physical and historical evidence. The city cannot be secure in its title and ownership of such of said lands which may be finally determined to be within inland waters. In the Government's brief in said case the theory

of ownership of inland navigable waters and tidewaters is attacked as "erroneous," "unsound," "wrong," "fallacy," and a "legal fiction." The theory announced by the majority opinion of the Supreme Court as the basis for its decision can be equally applied to the title and ownership of all lands underlying inland navigable waters. A map of San Pedro Bay, published by the Long Beach Harbor Department, entitled, "California Coast Line—Point Fermin to Newport Beach," on which has been portrayed the Justice Department's proposed line demarking San Pedro Bay from the "three-mile marginal belt," the headland to headland line of San Pedro Bay as fixed by the Federal District Court in *United States* v. *Carrillo*, and the line demarking San Pedro Bay from the open sea as referred to by the Board of Rivers and Harbors, Deep Water Harbor Report, Senate Doc. 18-551, will be filed with this honorable committee.

CONCLUSION

In conclusion, may I repeat that the City of Long Beach has expended many millions of dollars of public funds in the improvement and development of the tide and submerged lands conveyed to it by grant from the State of California in good faith and in reliance upon what has long been recognized to be the settled rule of property law that title to such lands is vested in the states and their grantees. A great public harbor has been created by the city consisting of most modern port facilities for accommodation of the waterborne commerce of the Nation, and large submerged areas have been converted into park and recreational facilities for the pleasure and enjoyment of millions of people throughout each year. The city's harbor facilities were entirely devoted during World War II to uses by the Federal Government in its activities in successfully prosecuting the war. These port facilities are most efficiently and economically managed by the municipality in peace times and will be of inestimable value to the Federal Government in the event of any future emergency challenging the security of our Nation.

The city now stands to lose its title, ownership, possession and control of these tide and submerged lands, save and except possibly a very small portion thereof, unless the Congress of the United States adopts appropriate legislation that will safeguard to the city its just and equitable rights in said lands.

The Supreme Court, in its decision rendered June 23, 1947, recognizes that the question of ownership and control of said lands and natural resources in the "three-mile marginal belt" is within the "congressional area of national power" and that the Congress will not execute its powers "in such way as to bring about injustices to states, their subdivisions, or persons acting pursuant to their permission."

It is submitted that facts contained in this statement pertaining to the City of Long Beach are but an example of that pertaining in all states and municipalities throughout the Nation wherein navigable waters are included within their borders, and each is now faced with a disaster of tremendous proportions unless the Congress of the United States adopts appropriate legislation to prevent confiscation by the Federal Government of these long established property rights in the states and their grantees and quiet the title, possession and control of all lands beneath navigable waters.

On behalf of the City of Long Beach, California, I urge favorable action on and adoption by the Congress of Bill S. 1988, or similar legislation, whereby the Federal Government shall recognize, confirm, establish and vest in the respective states and their respective grantees and all persons lawfully entitled thereto title to and ownership of all lands beneath navigable waters within the boundaries of the respective states and their natural resources within such lands and waters, and the right and power to control, develop and use such natural resources in accordance with applicable state law. A certified copy of Resolution No C-11117, adopted by the City Council of the City of Long Beach at its meeting held on February 10, 1948, together with a certified copy of Resolution No. HD-333, adopted by the Board of Harbor Commissioners of the City of Long Beach at its meeting held on February 9, 1948, petitioning the Congress of the United States to act favorably upon and adopt S. 1988 pending before this committee, will be filed with the committee.

Exhibit B

CITY OF LONG BEACH, CALIFORNIA

INTER-DEPARTMENTAL COMMUNICATION

Date October 6, 1948
From B. W. Tarwater
Dep't Harbor

To J. R. McHenry
Dep't City Manager
Subject Communication and Questionnaire from Ralph C Dills—Assembly, California Legislature—re tidelands and submerged lands granted by the State.

DEAR SIR: The following is in answer to your communication of October 1, 1948, regarding questions numbers 2, 3, and 6.

No. 2. Capital Expenditures since January 1, 1948, for development and improvement of the granted lands have been made from revenues to the Harbor Revenue Fund prior to January 1, 1948, and have been made in the approximate of $4,525,000 from January 1, 1948, to September 30, 1948.

No. 3. All Capital Expenditures in the Harbor Department have been from revenues in the Harbor Revenue Fund prior to January 1, 1948.

No. 6. Revenues to the Harbor Department for the fiscal year from July 1, 1947, to June 30, 1948, were as follows:

Harbor Revenue Fund	
Interest, refunds, etc.	$313,279.89
Tideland Oil Income—	
Long Beach Oil Development Contract	19,466,848.53
Richfield Oil Corporation Contract	1,245,650.42 *
Reserve accounts as per agreements	(12,478,977.19)
Active Funds	(8,546,801.65)
Total	$21,025,778.84

* Revenues in the Harbor Revenue Fund are expended for development and improvement of Harbor Department lands, facilities and maintenance Revenues from the Richfield Oil Corporation contract are deposited in the Harbor Revenue Fund but are not a part of the Harbor Department Revenues

Harbor Operating Fund

Receipts from the operation of port facilities_____ $779,097.87

Revenues in the Harbor Operating Fund are expended for the operation of port facilities.

Yours very truly,

B. W. TARWATER
Acting Port Manager

Exhibit C

CITY OF LONG BEACH, CALIFORNIA
INTER-DEPARTMENTAL COMMUNICATION

Date October 4, 1948
From Helen F. Luckey
Dep't City Accountant

To Mr. J. R. McHenry
Dep't City Manager
Subject Communication and Questionnaire from Ralph C. Dills—re tidelands and submerged lands granted by the State

DEAR SIR: In accordance with your request of October 1, 1948, I am submitting the following:

2. Unknown to me.
3. No expenditures since January 1, 1948 (groins constructed on East Beach at a cost of $36,315 in 1945-46 according to Planning Dept. Marina Survey Report)
6. Revenues Auditorium, 1947-48_____ $53,158.01
   Expenses Auditorium, 1947-48_____ 82,065.11
   Estimated Revenue, 1948-49_____ 60,000.00
   Budget, 1948-49_____ 91,598.00

   Harbor Tideland Oil Revenues to Harbor Department could be best furnished by Mr. Tarwater

   (Oil Revenues from Palm Beach Park and ocean adjoining park)

   Neptune Pier Franchise

   Belmont Pier Fishing Boat Franchises

   (Included in our Miscellaneous Franchises and detail could be furnished by Bureau of Franchises)

   Recreation (Belmont Recreation Center) and others.

Yours very truly,

OFFICE OF CITY ACCOUNTANT
By HELEN F. LUCKEY, Accountant

Exhibit D

CITY OF LONG BEACH, CALIFORNIA
INTER-DEPARTMENTAL COMMUNICATIONS

Date October 8, 1948
From J. H. Mixner
Dep't Bureau of Franchises and Public Utilities

To Mr. Carl W. Wirsching
Dep't City Manager
Subject Revenues received from revocable boat permits.

DEAR SIR: In accordance with your request we are furnishing information with regards to the revenues received from the use and operation of boat permits issued by the City of Long Beach from August 1946 to date, the total amount of revenues received amounting to $13,602.20.

Yours truly,

J. H. MIXNER, Engineer

ANALYSIS OF THE REPLY OF THE CITY OF LONG BEACH

The reply of the City of Long Beach indicates in large part substantial compliance with the conditions of the statutes of grant and the trust under which the granted lands are held. The record of leases to oil companies and leases or conveyances to manufacturing, industrial, and commercial corporations and other organizations, however, indicates a probable unauthorized use and administration of granted lands of major proportions. No value is given for the pier reported to be the only development on the granted lands pursuant to franchises or leases Revenues from the granted lands were stated to exceed $22,500,000 per year. The purposes to which these revenues are applied, including a reserve fund and development of parks and recreational facilities, quite probably constitute in themselves an unauthorized use and administration of the granted lands. Occupation or use of the granted lands by corporations or individuals includes that by two oil companies operating under contracts with the City of Long Beach and two leases to catering companies—both quite probably unauthorized uses and administration of such granted lands There has been a declaration by city officials that the title in fee to the granted lands have been settled in the City of Long Beach by numerous state and federal Supreme Court decisions. It must be understood that these decisions in no wise can affect the paramount interests of the State of California in the granted lands, as against the local political subdivision, the title and interest of which in such granted lands is subject to the paramount sovereignty, the State of California, as its wishes may be expressed through the Legislature.

Conclusion. The reply of the City of Long Beach is unsatisfactory, and further investigation by the committee is required, in the following particulars: There is evidence of substantial unauthorized use and administration of at least a large portion of the granted lands. Immediate surveys, research, examinations, and comprehensive and extensive investigations will determine the extent of such unauthorized use and administration and enable the committee to report to the Assembly on the advisability of reacquisition of all or a portion of the granted lands.

CITIES OF LOS ANGELES AND VENICE

CHAPTER 656

An act granting to the City of Los Angeles the tidelands and submerged lands of the State within the boundaries of the said city.

[Approved May 1, 1911]

The people of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby granted to the City of Los Angeles, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all tidelands and submerged lands, whether filled or unfilled, within the present boundaries of said city, and situated below the line of mean high tide of the Pacific Ocean, or of any harbor, estuary, bay or inlet within said boundaries, to be forever held by said city, and by its successors, in trust for the uses and purposes, and upon the express conditions, following, to wit:

(a) That said lands shall be used by said city, and by its successors, solely for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatsoever; provided, that said city, or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, for purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce or navigation at said harbor;

(b) That said harbor shall be improved by said city without expense to the State, and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California;

(c) That in the management, conduct or operation of said harbor, or any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls, or charges, or in facilities, for any use or service in connection therewith shall ever be made, authorized or permitted by said city, or by its successors;

Reserving, however, in the people of the State of California, the absolute right to fish in the waters of said harbor, with the right of convenient access to said waters over said lands for said purposes.

SEC. 2. This act shall take effect immediately.

ASSEMBLY BILL No. 1417

CHAPTER 115

An act to amend Section 1 of an act entitled "An act granting to the City of Los Angeles the tidelands and submerged lands of the State within the boundaries of the said city," approved May 1, 1911.

[Approved April 20, 1917]

The people of the State of California do enact as follows:

SECTION 1. Section 1 of the act entitled "An act granting to the City of Los Angeles the tidelands and submerged lands of the State within the boundaries of the said city," approved May 1, 1911, is hereby amended to read as follows:

Section 1. There is hereby granted to the City of Los Angeles, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all tidelands and submerged lands, whether filled or unfilled, within the present boundaries of said city, and situated below the line of mean high tide of the Pacific Ocean, or of any harbor, estuary, bay or inlet within said boundaries, to be forever held by said city, and by its successors, in trust for the uses and purposes, and upon the express conditions, following, to wit:

(a) That said lands shall be used by said city, and by its successors, solely for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatsoever; provided, that said city, or its successors, may grant franchises thereon for limited periods, in any event not to exceed 30 years for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, in any event not to exceed 30 years for any and all purposes which shall not interfere with commerce or navigation, and are not inconsistent with the trusts upon which said lands are held by the State of California;

(b) That said harbor shall be improved by said city without expense to the State, and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California;

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls, or charges, or in facilities, for any use or service in connection therewith shall ever be made, authorized or permitted by said city, or by its successors;

Reserving, however, in the people of the State of California, the absolute right to fish in the waters of said harbor, with the right of convenient access to said waters over said lands for said purposes.

ASSEMBLY BILL No. 183

CHAPTER 77

An act granting to the City of Venice the tidelands and submerged lands of the State of California within the boundaries of the said city.

[Approved April 10, 1917]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Venice, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all the tidelands and submerged lands, whether filled or unfilled; provided, that nothing contained herein shall in any way affect any property held or claimed under, through or from a Mexican grant or patent therefor within the present boundaries and jurisdiction of said city, and situated below the line of mean high tide of the Pacific Ocean, or of any harbor, estuary, bay or inlet within said boundaries, to be forever held by said city, and by its successors, in trust for the uses and purposes, and upon the express condition following, to wit:

(a) That said lands shall be used by said city and by its successors, solely for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatsoever; provided, that said city, or its successors, may grant franchises thereon, for a period not exceeding 25 years, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for a period not exceeding 25 years, for purposes consistent with the trusts upon which said lands are held by the State of California and with the requirements of commerce or navigation at said harbor;

(b) That said harbor shall be improved by said city without expense to the State, and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California;

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls, or charges, or in facilities, for any use or service in connection therewith shall ever be made, authorized or permitted by said city or by its successors;

Reserving, however, in the people of the State of California the absolute right to fish in the waters of said harbor, with the right of convenient access to said waters over said lands for said purpose.

SENATE BILL No. 506

CHAPTER 768

An act granting to the City of Los Angeles the swamp, overflowed and salt marsh lands of the State within the boundaries of the said city.

[Approved June 3, 1921]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Los Angeles, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California in and to all swamp, overflowed and salt marsh lands, whether filled or unfilled, owned by the State of California within the present boundaries of said city, to be forever held by said city, and by its successors, upon the same trusts and conditions, and for the same uses and purposes as the tidelands and submerged lands within its boundaries are held by said City of Los Angeles under grant from the State of California by act approved April 20, 1917, entitled "An act to amend Section 1 of an act entitled 'An act granting to the City of Los Angeles the tidelands and submerged lands of the State within the boundaries of said city,' approved May 1, 1911."

ASSEMBLY BILL No. 373

CHAPTER 651

An act granting to the City of Los Angeles the tidelands and submerged lands of the State within the boundaries of said city.

[Approved by the Governor, June 3, 1929]

WHEREAS, By act of the Legislature of the State of California, entitled "An act granting to the City of Los Angeles the tidelands and submerged lands of the State within the boundaries of the said city," approved May 1, 1911, and as amended by an act, entitled "An act to amend Section 1 of an act entitled 'An act granting to the City of Los Angeles the tidelands and submerged lands of the State within the boundaries of the said city,' " approved April 20, 1917, there were granted by the State of California to the City of Los Angeles the tidelands and submerged lands of said State within the then boundaries of said city; and

WHEREAS, Since said tidelands and submerged lands were so granted to said city the boundaries of said city have become enlarged by reason of annexations of other territory, and it is desired to grant to said city the tidelands and submerged lands of said State within the boundaries of such annexed territory; therefore,

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Los Angeles, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all tidelands and submerged lands, whether filled or unfilled, situated below the line of mean high tide of the Pacific Ocean, within the present boundaries of said city, or of any harbor, estuary, bay or inlet within said boundaries, except as hereinafter provided, to be forever held by said city, and by its successors, in trust for the uses and purposes, and upon the express conditions, following, to wit:

(a) That said lands shall be used by said city, and by its successors, for purposes in connection with, or for the promotion and accommodation of commerce, navigation and fishery, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatsoever; provided, that said city, or its successors, may grant franchises and permits thereon for limited periods, in any event not to exceed 30 years, for purposes in connection with, or for the promotion and accommodation of commerce, navigation and fishery, and may lease said lands, or any part thereof, for limited periods, in any event not to exceed 30 years, for any and all purposes which shall not interfere with the trusts upon which said lands are held by the State of California;

(b) That said tide and submerged lands shall be improved by said city without expense to the State, and any harbor constructed thereon shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed by said city on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California;

(c) That in the management, conduct or operation of any such harbor, or of any of the utilities, structures or appliances constructed in connection therewith no discrimination in rates, tolls, or charges, or in facilities, for any use or service in connection therewith shall ever be made, authorized or permitted by said city, or by its successors;

Reserving, however, in the people of the State of California, the absolute right to fish in said waters, with the right of convenient access to said waters over said lands for said purposes. The grant herein made shall not include those tidelands or submerged lands within those certain areas known as the Westgate addition acquired by the City of Los Angeles by annexation on June 14, 1916, or the Santa Monica Canyon addition acquired by the City of Los Angeles by annexation on April 28, 1925, or the Venice Addition acquired by the City of Los Angeles by consolidation on November 25, 1925.

ASSEMBLY BILL No. 2219

CHAPTER 1513

An act to amend Section 1 of an act entitled "An act granting to the City of Venice the tidelands and submerged lands of the State of California within the boundaries of the said city," approved April 10, 1917, relative to grant of tide and submerged lands to the City of Venice.

[Approved by Governor July 18, 1945. Filed with Secretary of State July 18, 1945]

The people of the State of California do enact as follows:

SECTION 1. Section 1 of the act cited in the title hereof is amended to read:

Section 1. There is hereby granted to the City of Los Angeles, the successor to the City of Venice, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in

and to all the tidelands and submerged lands, whether filled or unfilled, and situated below the line of mean high tide of the Pacific Ocean, or of any harbor, estuary, bay or inlet within said boundaries, to be forever held by said city, and by its successors, the tide and submerged lands herein granted, being those situated in the former City of Venice, a municipal corporation, prior to its annexation to and consolidation with the City of Los Angeles, excepting any property held under, through or from a Mexican grant or patent therefor within the boundaries and jurisdiction of said former City of Venice, in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands shall be used by said city and by its successors, solely for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation; for the improvement, construction and use of, and for parks, playgrounds, streets, boulevards, bathing, bathhouses, and beaches, and for any purpose herein permitted, to reclaim and fill the same; and said City of Los Angeles, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatsoever; provided, that said city, or its successors, may grant franchises thereon, for limited periods, in any event not to exceed thirty (30) years, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, in any event not to exceed thirty (30) years, for any and all purposes which shall not interfere with commerce or navigation, and are not inconsistent with the trusts upon which said lands are held by the State of California;

(b) That said harbor shall be improved by said city without expense to the State, and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have, at all times the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California;

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls, or charges, or in facilities, for any use or service in connection therewith shall ever be made, authorized or permitted by said city or by its successors;

Reserving, however, in the people of the State of California the absolute right to fish in the waters of said harbor, with the right of convenient access to said waters over said lands for said purpose

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF LOS ANGELES

FLETCHER BOWRON
MAYOR

OFFICE OF THE MAYOR
CITY HALL
LOS ANGELES 12, CALIFORNIA

June 6, 1949

MRS. RALPH C. DILLS
123 North Tamarand Street
Compton, California

DEAR MRS. DILLS: Relative to our telephone conversation of this afternoon, I am attaching original copies of letters answering the questionnaire regarding tidelands and submerged lands granted by the State, which is in response to your husband's letter as Chairman of the Interim Committee on Petroleum Problems.

1. Letter of May 9, 1949, from Mr. Arthur Eldridge, General Manager of the Harbor Department.
2. Letter of May 19, 1949, from Mr. George Hjelte, General Manager of the Department of Recreation and Parks.
3. Letter of May 18, 1949, from the Secretary of the Board of Public Works with attached reports of the City Engineer.

I regret that the original communication from your husband was misplaced and I trust that these communications will be in sufficient time to be included in your over-all final report.

Very truly yours,

ORVILLE R. CALDWELL
Executive Deputy

CITY OF LOS ANGELES
CALIFORNIA

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PRESIDENT
MRS. ROLLIN BROWN
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ROBERT L. BURNS
J. J. HASSETT
SECRETARY

FLETCHER BOWRON
MAYOR

DEPARTMENT OF
RECREATION AND PARKS
509 CITY HALL
LOS ANGELES 12
MICHIGAN 5211
GEO. HJELTE
GENERAL MANAGER
GILBERT L. SKUTT
SUPERINTENDENT OF PARKS

May 19, 1949

MR. ORVILLE CALDWELL
Executive Deputy, Mayor's Office
Room 105, City Hall

DEAR MR. CALDWELL: I have received copy of the information furnished you based upon the questionnaire from Assemblyman Ralph C. Dills, of which you wrote the Board of Commissioners under date of May 4th, and which was submitted by the Bureau of Engineering. This memorandum answers all of the questions which are applicable to tidelands and submerged lands under jurisdiction of the Department of Recreation and Parks.

Confirming our telephone conversation, I assume that you require nothing further from the Board of Recreation and Park Commissioners in order to satisfy Assemblyman Dills.

Sincerely yours,

GEORGE HJELTE
General Manager

CITY OF LOS ANGELES
CALIFORNIA

ARTHUR ELDRIDGE
GENERAL MANAGER

TERMINAL 2 7241
NEVADA 6 1722

FLETCHER BOWRON
MAYOR

HARBOR
DEPARTMENT

408 BRANCH CITY HALL
P O BOX 151
SAN PEDRO CALIFORNIA

May 9, 1949

MR ORVILLE R. CALDWELL
Executive Deputy, Office of the Mayor
Room 105, City Hall
Los Angeles 12, California

DEAR ORVILLE: In response to your communication of May 4, 1949, transmitting copy of communication addressed by Assemblyman Ralph C. Dills to his honor, the mayor, accompanied by a questionnaire regarding tidelands and submerged lands granted by the State, I submit the following with regard to the tidelands under the jurisdiction of this department:

In May of 1911, the State of California granted to the City of Los Angeles all of its right, title and interest held by virtue of its sovereignty in and to all tidelands and submerged lands, whether filled or unfilled, within the present boundaries of said city and situated below the line of mean high tide of the Pacific Ocean, or any harbor, estuary, bay or inlet within said boundaries, to be forever held by said city, and by its successors in trust, for purposes of commerce, navigation and fishery.

Article XI of the charter of the City of Los Angeles provides that the Board of Harbor Commissioners shall have possession and control, under the provisions of the charter, of the entire waterfront of the City of Los Angeles, of all navigable waters and all tidelands and submerged lands, whether filled or unfilled, situated below the line of mean high tide, within the limits of the City of Los Angeles, northerly and easterly of the government breakwater at Los Angeles Harbor, and the provisions of the article shall be deemed to, and shall, apply and appertain to such navigable waters and such tide and submerged lands.

The first bond issue voted by the citizens of Los Angeles for the development of the harbor was for the sum of $3,000,000, issued in June, 1911. During the next 12 years additional issues were approved, so that in all the total of $29,900,000 has been invested from general obligation bond funds in creating the present Los Angeles Harbor. These sums have been expended in the development of terminals to serve commerce in this area, including 23 transit sheds, with a combined length of 16,151 feet and a total square foot area of 1,702,812, providing adequate space and equipment for working 35 ocean liners simultaneously. Of the water

frontage, 23,771 lineal feet are devoted to freight and passenger terminals, 10,166 lineal feet to the lumber industry, 12,874 lineal feet to the petroleum industry, 10,028 lineal feet to the fishing industry, and 17,054 lineal feet to shipyards.

Land has been leased to numerous industries which have, at their own cost and expense to the extent of many millions of dollars, developed the property adjacent to assigned wharves of the city to meet the requirements of their particular enterprises. In round figures, the areas assigned to the fish canning industry for cannery sites and purposes incidental thereto aggregate 1,600,000 square feet; 3,263,000 square feet have been leased for lumber receiving stations and storage; 4,000,000 square feet for the development of storage tanks and facilities incidental to the operation of marine oil terminals through which millions of barrels of oil are handled each year; 4,700,000 square feet to major shipyards; 556,000 square feet for small boat building yards; and some 7,000,000 square feet for miscellaneous businesses, practically all of which are devoted directly or indirectly to the promotion of commerce and fishery.

The department's estimated receipts for the fiscal year beginning July 1, 1948, and ending June 30, 1949, are $3,600,000, of which $1,099,000 will be from land rentals to private individuals and corporations, $1,568,000 from dockage, wharfage, pilotage, storage, assignment charges, and warehouse rentals made under tariff provisions for the use of the publicly owned commerce facilities; in addition thereto, the department will receive some $50,000 from the operation of its municipal railway belt line facilities, $170,000 from the operation of the municipal ferries, and $700,000 from oil royalties on oil produced on harbor lands. These revenues can only be expended for the purpose of the development of the harbor, including its operation, the payment of interest on outstanding bonded obligations, and the payment of maturing bonds voted for the construction of the harbor. Because of the need of many new improvements, the Harbor Department has required all of its surplus receipts over and above operation expenses, maintenance and interest charges for new construction, and a tax has annually been levied to retire maturing bonds.

By an overwhelming favorable vote, the City of Los Angeles years ago granted to the United States of America title to an area of land at our main entrance approach, 2,800 feet in length by 1,000 feet in width, which land had been created by the Federal Government from depositing the dredging material developed from the widening of our main entrance channel from 500 feet to 1,000 feet. This was a voluntary grant on the part of the city in order to afford the government areas for the construction of facilities, most of which would be required at a port of this magnitude, such as the U S. Public Health Service, Immigration Station, Lighthouse Service, etc

During the war years many actions in condemnation proceedings were instituted, involving condemnation in some instances of fee simple title and in others short term leasehold interests. The City of Los Angeles, through friendly negotiations with the governmental agency concerned, was successful in each instance in having the condemnation for fee title set aside and the substitution therefor of a leasehold interest under terms and conditions which were satisfactory to the city. The Federal Government during the war years, either directly or through its facility contractors using Harbor Department water frontage, paid without question

to the City of Los Angeles several million dollars for the use of our lands and terminal facilities, and our title to ownership or right to make reasonable charges therefor was not questioned, except in one instance, which was finally compromised to the satisfaction of both parties

Cordially yours,

ARTHUR ELDRIDGE
General Manager

Questionnaire Regarding Tidelands and Submerged Lands Granted by the State, as Submitted by the State Assembly Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum

CITY OF LOS ANGELES
BUREAU OF ENGINEERING
DEPARTMENT OF PUBLIC WORKS

May 16, 1949

The answers given below apply only to the tide and submerged lands within that portion of the City of Los Angeles lying northwesterly of the United States Government breakwater at San Pedro.

The tidelands and submerged lands in the portion of the city lying northeast of said breakwater are under the jurisdiction of the Harbor Department and answers to the questionnaire covering those lands will be furnished by that department.

1. What officer or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the State? The Board of Recreation and Park Commissioners.
2. What action has been or is being taken for the development and improvement of the granted lands? For the answer to this question reference is made to the attached statement entitled "Data on Santa Monica Bay, California" dated April, 1949. This covers tidelands and submerged lands on Santa Monica Bay, including those granted to Los Angeles.

On the tidelands and submerged lands in the portion of Los Angeles adjacent to and northwesterly of the breakwater the following developments have been made, all at Cabrillo Beach, which is located between the breakwater and Point Fermin.

1927—Sand fill of 500,000 cubic yards	$75,000
1932—Improvements consisting of a groin, picnic shelters, sewers, access road, and a bathhouse building also containing a marine museum and lunch room	74,000
1944—Stone sea wall	20,000
1948—Beach fill extension of 2,886,000 cubic yards	160,000
Total	$309,000

In the master plan of shoreline development it is proposed to spend approximately $1,000,000 in the improvement and protection of Cabrillo Beach.

3. Have public funds been expended for such purposes, and approximately in what amount?

On Santa Monica Bay	
Beach extension and protection	$3,893,000
Improvement	132,000
Total	$4,025,000
At Cabrillo Beach	
Beach extension and protection	$235,000
Beach improvement	74,000
Total	$309,000

4. What improvements have been made pursuant to franchises or leases and what is the approximate value thereof? A private amusement pier adjoining the southeasterly boundary line of the City of Santa Monica. Estimated value, $415,000.

   There have been two other leases of tidelands and submerged lands at Venice, both of which have expired and the improvements thereon removed. One of these was opposite Washington Street and covered an area 700 feet by 1,200 feet The other extended from Horizon Avenue to Eighteenth Avenue and covered an area 950 feet by 2,000 feet The latter lease was improved by a large private amusement pier and breakwater, the value of which probably totaled close to $1,000,000. All the improvements have been removed except the breakwater, which is now public property.

5. What franchises or leases of such lands are currently in effect? A lease to Charles J. Lick covering the private amusement pier adjacent to the Santa Monica boundary line. The lease, which was made originally in 1924, has been extended to 1963 However, it contains a revocable clause permitting the lessor to cancel the lease in case the lands are needed for public development.

6. What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which such revenues are used? Eight thousand dollars, of which $2,400 is from the lease described under Question 5, and $5,600 is from a lunchroom concession in the bathhouse at Cabrillo Beach.

   These revenues are used for operation and maintenance of the city's public beaches.

7. To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations? Privately only to the extent described in the answers to Questions 5 and 6.

   Publicly for recreation purposes by the general public, including large numbers of people from outside the City of Los Angeles, from other counties and cities of California and from other states. A survey showed that 13 5 percent of the people visiting the public beaches came from outside Los Angeles County.

8. Has the local agency been divested of title or right to possession of any of the granted lands by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise?

   Under the beach acquisition program instituted by the State from the 1945 appropriation of $10,000,000 made by the Legislature the State Park Commission required the City of Los Angeles to quitclaim

to the State the tidelands and submerged lands adjoining private frontage acquired by said commission and the tidelands and submerged lands adjoining public beach frontage owned by the city and used to match the private frontage acquired by the commission.

This involved the tidelands and submerged lands between Forty-ninth Avenue in Venice and the north boundary line of the City of El Segundo, a distance of approximately 21,600 feet.

9. Have any judicial proceedings been commenced against the local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment.

Although the City of Los Angeles is not a party to the case of *United States of America* v. *California*, No. 12 Original, that litigation affects all the submerged lands along the coast of California and therefore the submerged lands within the city limits of Los Angeles may be affected.

CITY OF LOS ANGELES
CALIFORNIA

MEMBERS
LOUIS M. DREVES
PRESIDENT
JOSEPH O. DONOVAN
VICE PRESIDENT
CLARENCE J. DERRICK
FRANK GILLELEN
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MILTON OFFNER
SECRETARY

FLETCHER BOWRON
MAYOR

OFFICE OF THE
BOARD OF PUBLIC WORKS
153 CITY HALL
LOS ANGELES 12
MICHIGAN 5211
STATION 781

May 18, 1949

MR. ORVILLE R. CALDWELL,
Executive Deputy of the Office of the Mayor.
Honorable Board of Recreation and Park Commissioners.

GENTLEMEN: Transmitted herewith to the executive deputy of the office of the major is a reply to the questionnaire from Assemblyman Ralph C. Dills, relating to tidelands and submerged lands of the City of Los Angeles.

Also submitted herewith to the executive deputy and to the Board of Recreation and Park Commissioners is a copy of the data mentioned in the accompanying report of the city engineer, relating to the said subject.

Respectfully yours,

MILTON OFFNER
Secretary

DATA ON SANTA MONICA BAY, CALIFORNIA

CITY OF LOS ANGELES
LLOYD ALDRICH, City Engineer
Compiled by A. G. JOHNSON, Division Engineer
Beach Design Division
April, 1949

Geological and Geographical

In Recent geologic time the upper part of the San Pedro Hills, which form a headland between the south end of Santa Monica Bay and the east end of San Pedro Bay, was an island, as shown by a succession of wave-cut terraces on its slopes. The area between the hills and the mainland was raised to its present elevation by deposition of the products of erosion from the adjoining land mass, or by uplifts, or by a combination of both.

The Palisades at Santa Monica formerly were several miles seaward of their present location and were cut back by wave and current erosion.

Santa Monica Bay is located between 33° 46′ and 34° north latitude. The distance between Point Dume, its northwesterly headland, and Rocky Point, the southeasterly headland, is 26.7 miles The landward penetration of the bay is 11.3 miles, or 43 percent of its length The direction of the long axis is northwest-southeast.

The bay is fully exposed to the ocean on the southwest, from S. 27° W. to S. 85° W. It is protected by the Santa Monica Mountains to the north and northeast and by high bluffs and sand dunes and the San Pedro Hills to the east and south, except between Playa del Rey and Santa Monica, where the adjoining land is low (U. S. Coast Chart 5202)

Historical

Santa Monica Bay has been recognized as a bay since the earliest recorded voyage of discovery along the California coast

On the voyage of Cabrillo in 1542 Santa Monica Bay is described as follows:

"The following Sunday, on the eighth of said month, (October) they came near the mainland in a great bay which they named Bahia de los Fumos, on account of the numerous smokes which they saw around it * * * This bay is in 35°, and is a good harbor, and the country is good, with many valleys and plains and trees."

Reference to the smokes ties in to two known facts. Within comparatively recent times, underground fires have been known to exist there which could cause smoke. Also fires in the mountains, which occur now from time to time, could have been in progress during the visit of Cabrillo. The shoreline of Santa Monica Bay was well populated with Indians before the white men came.

Vizcaino (December, 1602) did not mention this bay, but it is plainly indicated on his chart, as well as the cape formed by San Pedro Hill, 1 475 feet elevation (Davidson, 1886).

Captain George Vancouver, a British naval captain, visited this coast in November, 1793, with two naval vessels. In the account of Vancouver's voyages, printed in 1798, Santa Monica Bay is described as follows: "here the coast took a direction S. 67° E. 16 miles to the north point of a deep bay, off which lie two or three small rocks; this point, which I called Point Dume, bore N 59° W.; the south point of the same bay, being the eastermmost point of the mainland in sight; this, being a very conspicuous promontory, I named after Father Vicente; * * * The northwest side of this bay was observed to be composed chiefly of steep barren cliffs; the north and eastern shores terminated in low sandy beaches, rising with a gradual ascent until they reached the base of a mountainous country, which had the appearance of being rugged and barren, not only at some distance behind the center of the bay, but extending towards the seacoast, and forming its extreme points, viz., Point Vicente, and Point Dume, which lie from each other S. 51° E and N. 51° W, 26 miles asunder"

The U. S. Coast Survey Topographic Sheet of 1871 (Register No. 1231), covering the south end of Santa Monica Bay, refers to it is part of the Bahia Ona. The name "Ona" apparently is an obsolete Spanish word meaning salty and is mentioned as having that meaning in the diary

of the Bosque-Larios expedition of 1675 (See Bolton's "Spanish Exploration in the Southwest 1542-1706, page 299, published in 1925"). Naming the bay Bahia Ona must have been due to the salt pond and salt works which existed at Redondo Beach in the early days.

The first pier on Santa Monica Bay was constructed in 1872 in what is now Santa Monica, close to the location of the present municipal pier It was used to load tar, from the tar pits in Rancho La Brea, on boats which took it to San Francisco (Ranchos Become Cities, by W. W. Robinson 1939).

The next pier was constructed at approximately the same location in 1875 by the Southern Pacific Railroad Co. This was a railroad pier 1700 feet long It is shown on U S. Coast Survey Topographic Sheet (Register No. 1427), dated 1876.

In 1887 private interests dredged a channel entrance at Playa del Rey and attempted to dredge a harbor in the Ballona Lagoon. The project was known as Port Ballona. This is shown on the U. S. Coast Survey Topographic Sheet of 1887 (Register No. 1791).

A report was made in 1887 to the Redondo Beach Land Co. by Col. G H. Mendell, U S. Corps of Engineers and William H Hall, State Engineer of California, on the possibilities of a commercial port at Redondo Beach. The report was favorable and recommended the project.

The U. S. Topographic Sheet of 1893 (Register No. 2127) shows a railroad wharf 900 feet long at Redondo Beach, with six mooring buoys near its outer end. The U. S. Coast Chart of 1910 (Register No 3086) shows four piers at Redondo Beach, three of them being railroad piers. This place had considerable commerce for many years, particularly in lumber.

In 1890 the Southern Pacific Railroad Co. extended its railroad along the beach from Colorado Avenue in Santa Monica to a point about one-half mile west of Santa Monica Canyon. At that point a railroad pier was constructed a mile into the ocean. This pier was in use until San Pedro Harbor was improved by construction of the breakwater.

In 1892 a report was made by a board of five engineer officers of the U. S. Army on location of a deep-water harbor for Southern California at San Pedro Bay or at Santa Monica Bay. This report discussed the area just west of Santa Monica as well as Redondo Beach as a deep-water port. The report was authorized by Congress and was printed as Ex. Document No. 41, House of Representatives—52d Congress—2d Session, 1892.

In 1896 Congress authorized another board to report on the same matter. The report by this board is known as the Walker Report, after Rear-Admiral Walker, chairman. The report was printed as Document No. 18—Senate—55th Congress—1st Session, 1897.

Both boards recommended San Pedro as the location for the deep-water harbor.

In these two reports and the 1887 report on the Redondo Beach location, Santa Monica Bay was described as being very favorable in regard to weather and ocean conditions and freedom from severe storms. It was usually referred to as a roadstead, which is defined in the 1948 edition of Webster's unabridged dictionary as "a protected place where ships may ride at anchor."

The following quotation is taken from the Walker Report of 1896.

"The region where these two roadsteads (San Pedro Bay and Santa Monica Bay) are located is remarkable for general equability of weather and absence of storms. During a stay of 50 days in this vicinity, in what is known as the stormy season of the year, the board having these roadsteads under constant observation, there was not a day nor a night when an able vessel, well-found in ground tackle, could not lie in entire security at either place. All evidence shows the general absence of storm winds and that dangerous gales are rare.

"The heaviest seas come from the south or southwest. Notable storms are rare; they come, if at all, during the rainy season from November to March. The wind from April to October is generally from the northwest; it is sometimes boisterous, but not a storm wind. The greatest danger comes from a combination of distant ocean and local storms, producing the cumulative effects of local wind waves superimposed upon the long undulations of a great ocean swell."

A chart in the Manual of Procedure of the Federal Beach Erosion Board shows wind roses for various areas of the ocean off the Pacific Coast of the United States. The data from which the wind roses were prepared are from the long-term records of the Hydrographic Office of the Navy Department, as reported from ships at sea. For the area off the Southern California Coast the wind rose shows the prevailing wind direction at sea to be northwest. The percentage of time the wind blows from each direction is given below.

Northwest	46%	Northeast	2%
North	22%	South	1%
West	11%	Southeast	1%
Southwest	4%	Calm, light, variable	13%

Since October, 1938, this office has maintained an automatic wind recorder at Sunset Pier, Venice, which is near the center of the bay. The machine gives a continuous record of wind velocity and direction. Monthly tabulations of these records have been made for the period from November, 1938, to May, 1943, inclusive. During this 55-month period there were only 38 days on which the wind velocity reached 25 miles per hour or higher, only seven days when it reached 32 miles or higher, with a maximum velocity of 38 miles, which occurred on only one day. On the Beaufort wind scale, No. 6, with velocities from 25 to 31 miles, is listed as a strong breeze. No 7, with velocities from 32 to 38 miles, is listed as a moderate gale. On 29 of the 38 days when the wind velocity reached 25 miles per hour or higher the wind direction was from the west or southwest, on five days from the south, on three days from the southeast, and on one day from the northeast.

NOTE. The quotation from the Walker Report and the data on wind records, except the last paragraph, were included in "A Report on Erosion of the Beaches in the Venice District," prepared by this office in 1940.

The foregoing data indicates that Santa Monica Bay is a favorable location for shipping and has been used for that purpose for a period of at least 75 years.

In the latter part of the decade from 1890 to 1900 and in the first half of the following decade, intensive subdivisions of the shore of Santa Monica Bay took place, from Santa Monica Canyon to Redondo Beach. The value of the shoreline for recreation and residential purposes for the rapidly growing population was recognized. Amusement piers were constructed at Redondo Beach, Venice, and Ocean Park. Municipal pleasure piers were constructed in Santa Monica, Manhattan Beach, and Hermosa Beach.

In 1910 the Pacific Light and Power Co. constructed a steam generating plant at Redondo Beach, with a large saltwater intake conduit extending 800 feet offshore.

The Standard Oil Co. of California in 1911 developed a refinery at El Segundo and secured a 20-year franchise to construct a pier. This franchise was renewed in 1931 for an additional 20 years. The pier is 2,100 feet long and has a 36-inch and a 48-inch saltwater intake pipe for the refinery. The smaller tankers tie up at the end of the pier. The company also maintains a submarine oil loading station about one half mile seaward at the end of the pier, which serves the larger tankers. On the beach just north of the pier a pump house for a butadiene plant was constructed during the war. Its 42-inch saltwater intake pipe extends 1,200 feet offshore.

At Hyperion, a short distance north of the Standard Oil pier, the City of Los Angeles has maintained an outfall sewer of some sort for about 50 years. In 1924 a screening plant was constructed, and a submarine outfall seven feet in diameter was laid on the ocean bottom to a mile offshore. Due to the rapid increase in population and pollution of the waters of the bay adjoining the most heavily used bathing beaches of the metropolitan area, a large sewage treatment plant became necessary. This is now under construction and will be completed late in 1950 at a total cost of $41,000,000. A new submarine outfall sewer has been completed at a cost of $3,518,000. The tube is 12 feet in internal diameter and extends a mile offshore. The normal sewage flow through the new plant will be 350,000,000 gallons per day.

To clear the site of the treatment plant, excavation of 14,000,000 cubic yards of sand was required The sand was disposed of by spreading it along the shoreline for six miles upcoast, which created a beach with an average width of 600 feet. Extension of the twin jetties at the outlet of the Ballona Creek flood control channel 600 feet seaward was necessary because of this fill.

In 1933 the City of Santa Monica constructed an offshore breakwater to create a small craft anchorage. The breakwater is 2,000 feet long and 2,000 feet offshore, extending northerly from the municipal pier.

In 1939 the City of Redondo Beach constructed a breakwater near its north city limits to create a small craft anchorage.

The Southern California Edison Company recently completed a large saltwater intake conduit and pumping plant in connection with its new steam generating plant at Redondo Beach. This is located just north of the breakwater.

In 1945 the City of Los Angeles and the County of Los Angeles adopted a master plan of shoreline development. This plan provides for an extensive beach development along 13 miles of the shoreline, extending from Topanga Canyon to El Segundo, and a yacht harbor, or marina,

at Playa del Rey, with a capacity of 8,000 pleasure craft of all sizes. The beach development will be constructed upon a huge ocean fill of 56,000,000 cubic yards, extending along the 13 miles of shoreline with an average width of 900 feet. The 14,000,000 cubic yards already placed is part of the total fill. The seaward 250 to 300 feet of the fill will be used as bathing beach. The remainder will be improved with a boardwalk, park, picnic and recreation areas, bath houses, swimming pools, parking fields, and scenic drives, much like the famous Jones Beach near New York City.

The 1945 State Legislature appropriate $10,000,000 for beach acquisition. About $4,000,000 of this was allocated for Los Angeles County. All of this is being used for beach acquisition along Santa Monica Bay. Much of the beach front in Los Angeles, Santa Monica, Manhattan Beach, Hermosa Beach, Redondo Beach and Palos Verdes Estates was already publicly-owned. The beach frontage purchased from the $4,000,000 allocation will nearly complete the public ownership of the shoreline within those cities. El Segundo and Torrance are the only cities along the bay with no publicly-owned shore frontage.

In June, 1948, the City Council of Los Angeles appropriated $35,000 to retain Madigan-Hyland, consulting engineers of New York City, to make an engineering and economic survey and report on the adopted master plan of shoreline development. The survey and report have been completed and $4,500 has been appropriated to print 1,000 copies.

Existing Improvements on Tide and Submerged Lands and Estimated Value

City of Palos Verdes Estates	None
City of Torrance	None
City of Redondo Beach	
Public	
Groins	$28,000
Recreational pier	68,000
Breakwater	539,000
Seawall	167,000
	$802,000
Private	
Fishing pier	$50,000
Salt-water intake and pump house for steam generating plant	1,340,000

The plant, owned by the Southern California Edison Co., is now under construction. Its cost, when completed will be $38,500,000 The power output will be _____ and it will serve a population of _____. If the intake should be prevented from functioning, the plant could not operate, as no other adequate water supply for cooling purposes is available.

City of Hermosa Beach	
Public	
Recreation pier	$175,000
City of Manhattan Beach	
Public	
Recreation pier	$135,000
El Porto Beach (unincorporated territory)	None
City of El Segundo	
Public	
Salt-water intake and lines	$45,000
(This is owned by Reconstruction Finance Corporation—Office of Rubber Reserve)	
Private (Standard Oil Co. of California)	
Wharf, oil piping, submarine lines, salt-water intake pier and miscellaneous equipment	$654,000

The Standard Oil Co refinery and storage tanks and other facilities cover an area of almost two square miles. Its total value is approximately _____ and the annual value of its products _____. The capacity of the refinery is about _____ barrels a day.

If its ocean-loading facilities should be eliminated, greatly increased facilities must be provided, either by truck haul, rail haul, or additional pipe lines to Los Angeles Harbor to ship the refined products. This would increase the cost of operation.

Elimination of the salt-water intakes would cripple the plant, as in the case of the steam generating plant at Redondo Beach, since the domestic water supply is inadequate for this demand on it.

City of Los Angeles (Southeast of Santa Monica)

Public

Hyperion Sewage Treatment Plant including a 12-foot outfall extending a mile into the bay	$41,000,000

The plant is now under construction and is designed for a population of 3,000,000 on the basis of an average dry weather flow of 245,000,000 gallons of sewage per day, with the peak dry weather flow of 350,000,000 gallons and the storm weather flow of 420,000,000 gallons. At the present rate of population growth, capacity of the plant now being constructed will be reached in 1953 The present population served by the plant is 2,488,000. Of this total about 1,925,000 is within the City of Los Angeles, 160,000 in unincorporated areas, and 317,000 in adjoining municipalities of Beverly Hills, Burbank, Culver City, El Segundo, Glendale, Santa Monica, and Vernon. It is estimated that the plant will have to be expanded to serve an eventual population of over 4,000,000 These data indicate how serious any interference with the submarine outfall would be.

Submarine outfall sewer	3,518,000
Hyperion groin	90,000
Extension of Ballona Creek jetties	510,000
32nd Ave. groin (Venice)	52,000
Breakwater at Winward Ave. (Venice)	200,000
Beach fill, 375 acres, El Segundo to Santa Monica	15,000,000
Two storm drains	75,000

Private

Lick Pier	$415,000

City of Santa Monica

Public

Santa Monica Municipal Pier	$300,000
Breakwater—Santa Monica Harbor	690,000
Groins	40,000
Artificial accretion to beaches	3,200,000
Beach playground development	5,000

Private

Santa Monica Pier	$500,000
Ocean Park Pier	1,700,000

City of Los Angeles (West of Santa Monica)

Public

Groins	$50,000

Private

Groins (Bel Air Bay Club)	30,000

Unincorporated territory (West of Los Angeles City)

Private

Malibu Pier	$132,000

Planned Improvements on Tide and Submerged Lands and Estimated Value

City of Los Angeles—Frontage = 9 miles ±
City of Santa Monica—Frontage = 3 miles ±
Unincorporated territory—Frontage = 1 mile ±

Beach fill 42,000,000 cu. yds.	$14,793,000
Groins—57	3,386,000
Sewers and pumping plants	2,052,000
Storm drains and pumping plants	5,588,000
Utilities	5,675,000
Streets and roadway structures	15,896,000
Parking areas and approaches	1,986,000
Play areas	38,000
Picnic areas	145,000
Buildings	5,161,000
Miscellaneous recreation facilities	754,000
Landscaping	2,896,000
*Yacht harbor entrance jetties	2,167,000
Total	$60,537,000

* The yacht harbor entrance jetties will serve a proposed pleasure craft harbor, called Marina del Rey, the total cost of which is estimated at $29,672,000, and the capacity of which is 8,000 craft

It is also planned to develop the beaches between El Segundo and Palos Verdes at an estimated cost of about $22,000,000.

Waterfront ownership

The amount of frontage in public and private ownership, and estimated value, are given for each political subdivision.

City of Palos Verdes Estates		
Public	25,000 ft.	$150,000
Private	None	
NOTE: The above frontage is a narrow strip between the foot of high bluffs and the mean high tide line.		
City of Torrance		
Public	757 ft.	30,000
Private	3,312 ft.	242,000
City of Redondo Beach		
Public	12,708 ft.	970,000
Private	1,450 ft.	935,000
City of Hermosa Beach		
Public	9,275 ft.	1,110,000
Private	420 ft.	87,000
City of Manhattan Beach		
Public	9,700 ft.	1,363,000
Private	None	
El Portal (Unincorporated territory)		
Public	1,328 ft.	160,000
Private	None	
City of El Segundo		
Public	None	
Private	4,400 ft.	880,000
City of Los Angeles (S. E. of Santa Monica)		
Public	31,312 ft.	3,048,000
Private	2,111 ft.	859,000
NOTE 1,431 feet of the private frontage are being acquired at an estimated cost of $459,000.		
City of Santa Monica		
Public	6,944 ft.	1,958,000
Private	8,031 ft.	6,224,000
City of Los Angeles (West of Santa Monica)		
Public	14,905 ft.	3,336,000
Private	2,044 ft.	964,000
NOTE: 543 feet of the private frontage are being acquired at an estimated cost of $218,000		
Unincorporated territory (West of Los Angeles City)		
Public	None	
Private	74,280 ft.	12,805,000

The above listings of waterfront ownership comprise the actual beach frontage and the improvements thereon which would be directly affected by industrial developments on the adjoining lands below the mean low tide line.

Two natural offshore oil seepages on Santa Monica Bay plus illegal dumping of bilges from passing ships now cause a nuisance by the tar drifting onto the beaches. Operations of the Standard Oil Co. at El Segundo may also be a contributing cause.

Extensive leasing of the submerged lands for oil development would probably result in far greater pollution of the beaches by tar and oil, rendering them unfit for any recreational use; especially so, if control of the oil development is not in the hands of local agencies which are familiar with the problem from long experience and have the greatest interest in preserving the great recreational value of the shoreline

In addition to the waterfront land and improvements listed above, there is a strip immediately adjacent, approximately a block in width, which would be indirectly affected because its value depends largely on the recreational use of the beaches.

The location, length, and value of this strip of land and improvements thereon are given below. These are all privately-owned.

Santa Monica	2.0 miles	$13,260,000
Los Angeles City (S. E. of Santa Monica)	3.5 miles	7,620,000
Hermosa Beach-Redondo Beach	3.0 miles	7,460,000

Local Population

The figures given under this heading are considered to be the population of the political subdivisions with frontage on Santa Monica Bay.

Incorporated Cities

Palos Verdes Estates	1,954
Torrance	18,572
Redondo Beach	23,650
Hermosa Beach	12,096
Manhattan Beach	14,892
*Los Angeles	2,021,236
Santa Monica	76,857
Subtotal	2,169,257
Unincorporated territory	16,000
Total	2,185,257

The above population figures are based on the regular quarterly estimate of the Los Angeles County Regional Commission for January, 1949.

*Los Angeles City extends landward from the shoreline of Santa Monica Bay a maximum distance of 20 miles and therefore its population comprises a large part of the population of the tributary area, for which figures are given in the next section

The other municipalities listed extend only from two to five miles from the shoreline.

Population of Tributary Area

A survey and report made by Madigan-Hyland, consulting engineers of New York City, mentioned above under the Historical Section, shows that 13 4 percent of the people visiting the beaches of Santa Monica Bay were from outside of Los Angeles County and 7 3 percent were from outside the State.

The estimated 1948 attendance at Santa Monica Bay beaches was 11,400,000 Using the above percentages gives 9,872,000 beach visitors from Los Angeles County, which has a population of approximately 4,000,000; another 696,000 visitors from other California counties, which have a population of about 6,000,000; and 832,000 from other states and foreign countries.

Estimated increase in beach attendance at Santa Monica Bay beaches is expected to reach 29,600,000 by 1970 due to the greatly increased facilities proposed in the planned development and the increase in population, which is expected to reach 6,000,000 in Los Angeles County by 1970.

Applying the same percentages to 29,600,000 gives 25,634,000, 1,805,000, and 2,161,000, respectively, as the annual number of beach visitors to Santa Monica Bay from the County of Los Angeles, the other counties of California, and other states and foreign countries.

Annual Value of Business From Beach Recreation

1. *Under Present Conditions*
2. *After Planned Development Is Completed*

1. In 1947 the New Jersey Council, Department of Economic Development made a survey of tourists visiting New Jersey Among other facts developed, it was shown that 70 percent stayed at seashore resorts, that 77 6 percent came by automobile and that the average expenditure per person was $77.

Statistics of the All-Year Club of Southern California show that in 1948 a total of 3,373,000 tourists visited the 10 counties of Southern California and that 89 percent of them were routed through Los Angeles Their total expenditure in Southern California was $457,838,000, an average of $136 per person

Taking the average of the New Jersey figure of $77 and the Southern California figure of $136 gives $107. Applying this figure to 1,528,000, the number of beach visitors from outside Los Angeles County gives $163,496,000 as the value of annual business from tourists to Southern California who also visited the beaches of Santa Monica Bay The New Jersey survey showed that 70 percent of their tourists preferred the seashore Applying the figure to the $163,496,000 gives $114,447,000 as the value of the tourist business attracted by the beaches and scenic beauty of the Santa Monica Bay shoreline

Taking the 1948 attendance figure of 11,400,000 and applying to it the percentage of those who drive to the beaches, 86 percent, gives 9,800,000. The survey shows that 3 3 is the average number of occupants per car. From this it can be computed that $2,050,000 is spent for gas annually in driving to the Santa Monica Bay beaches

The average beach visitor will spend at least $1 00 on each visit to the beach This adds another $11,400,000 to the annual value of business.

There are other less direct ways by which business values are created by the recreational use of the shoreline of Santa Monica Bay, but the above figures show that those beaches contribute very substantially to the economy of the Los Angeles region.

2 Using the same factors and applying them to the estimated annual attendance of 29,600,000 after the planned development is completed shows that the annual tourist business attracted by the shoreline of Santa Monica Bay will be $297,000,000 the annual gas cost in driving to those beaches $5,830,000, and beach visitors will spend $30,000,000.

It has previously been mentioned that the planned development of Santa Monica Bay includes a yacht harbor with a capacity of 8,000 craft.

The cost of gas and oil, maintenance and overhaul, equipment and supplies is estimated at $2,946,000 annually. This is only one item of new business value which will be added by this proposed harbor.

The above figure represents the value of only one source of new business which would result from construction of the yacht harbor. There are others, such as the increase in manufacture of boats and marine engines.

If oil development is permitted on the submerged lands of the bay, it will be unattractive to pleasure craft as well as hazardous.

Summary of Type, Number, and Value of Existing Improvements on Tide and Submerged Lands

Type	*Number*	*Value*
PUBLIC		
Groins	12	$260,000
Piers	4	678,000
Breakwaters	3	1,429,000
Seawalls	1	167,000
Jetties	2	510,000
Salt-water intakes	1	45,000
Beach fills	2	18,200,000
Storm drains	2	75,000
Recreational facilities		5,000
Submarine outfall sewer		3,518,000
		$24,887,000
PRIVATE		
Groins	3	$30,000
Piers	5	3,451,000
Salt-water intakes	1	1,340,000
		$4,821,000

Summary of Length of Frontage and Value of Waterfront Ownership

PUBLIC	
Length	111,929 lin. ft. (21.2 miles)
Value	$12,125,000
PRIVATE	
Length	96,048 lin. ft. (18.2 miles)
Value	$22,996,000

ANALYSIS OF THE REPLY OF THE CITY OF LOS ANGELES

The City of Los Angeles submitted a comprehensive and extremely detailed report to the committee, which reply, however, indicates probable unauthorized use and administration of granted lands of major proportions. It is important in this regard that the statute of grant of 1945, Chapter 1513, granting to the City of Los Angeles all those tidelands and submerged lands previously granted to the City of Venice in 1917, Chapter 77, after acquisition of the latter into the former, is much more broad in its scope and delineation of permitted uses than the previous statutes of grant to the City of Los Angeles proper. Therefore, granted lands within the boundaries of the former City of Venice are subject to considerably more authorized uses, particularly relating to recreational facilities, than are the balance of tide and submerged lands within the city limits of the City of Los Angeles. Approximately $5,000,000 is stated by the reply to have been expended from public funds for

improvement and development of granted lands. This figure, however, appears to represent beach extensions and improvements only. The value of existing improvements on granted lands is stated to approximately $30,000,000, of which $5,000,000 represents improvements on what is called "private" lands, i e., tide and submerged lands owned by individuals and corporations. Particular reference is made to the Hyperion Sewage Treatment Plant of the City of Los Angeles, the value of which is estimated at $41,000,000. Planned improvements on tide and submerged lands, of the value of $60,537,000, may, upon investigation, be found in many instances to constitute unauthorized use and administration of the granted lands in question. Only $415,000 was stated to represent the value of improvements on granted lands pursuant to franchises or leases. It is noteworthy that this sum represents the estimated value of a privately owned amusement pier. The report that only that one lease, of the amusement pier, is existent on the granted lands, will merit further study. The statement that $5,600 is derived from a lunchroom concession in a beach bathhouse strongly infers unauthorized use and administration of the granted lands, at least in this particular instance. Use of revenue from the granted lands for operation and maintenance of the city's public beaches does not appear authorized under the statute of grant of 1929, Chapter 651, or any preceding statute of grant. The extent to which the granted lands are occupied or used by corporations or individuals, as reported in the reply to the committee's questionnaire, requires further examination. The fact that a large number of people using the city's public beaches reside outside the County of Los Angeles is not relevant. It is of urgent importance to raise the question at this point, respecting the reply to Question 8 of the questionnaire, whether granted lands acquired by duly authorized agencies of the State of California pursuant to legislative directive and authorization, are not subject to the same conditions and restrictions as to use and administration as are set forth in the statutes of grant of such lands to the local political subdivisions. Since every such statute by its terms applies to the grantee political subdivision's "successors," it would appear that granted lands alienated to agencies of the State of California should be examined regarding the use and administration thereof.

Conclusion. The reply of the City of Los Angeles was unsatisfactory, and further investigation is required, in the following particulars: In view of the present estimated value of the granted lands and developments thereof and improvements thereon, it is of the utmost necessity that the committee conduct extensive and comprehensive research, surveys, examinations, and investigations, so as carefully and accurately to determine whether the City of Los Angeles has substantially complied with the intents, purposes, conditions, and trusts of the statutes of grant; further, more complete, and more accurate information is essential before the committee adequately can report to the Assembly on the advisability of reacquisition of any or all of the granted lands and on whatever other procedures and actions may appear warranted by the use and administration thereof.

CITY OF MONTEREY

ASSEMBLY BILL No. 44

CHAPTER 669

An act granting to the City of Monterey the title to the water front of said city in the Bay of Monterey.

[Approved May 27, 1919]

The people of the State of California do enact as follows:

SECTION 1. The State of California does hereby cede, grant and relinquish forever, unto the City of Monterey, a municipal corporation organized and existing under and by virtue of the laws of the State of California, all the right, title, interest and estate whatsoever of the said State of California, of, in and to, all the real estate, lands and property situate within the corporate limits of said City of Monterey, and bounded and described as follows, to wit: Commencing at a point where the line of the corporation limits of said city strikes the bay of Monterey on the north, and running along the entire water front thereof in a southerly and westerly direction to the point where the southern or western boundary of said city strikes the said bay, comprising the entire water front of said city, out to a depth of 60 feet at low tide water; provided, that the rights of all persons, if any exist, under any title derived from said State of California, in and to any part of said property and premises hereby ceded and granted, be and the same are hereby reserved from the operation of this act.

SEC. 2. The entire water front hereby granted shall be held by the City of Monterey and its lawful successors forever, for the use and benefit of said city, and shall not be subject to execution upon any judgment against said city, but from time to time, may be let or leased for a term not exceeding 50 years, as the said city or its successors may deem to be most advantageous to said city; provided, that not more than 300 feet frontage of said water front shall be leased to one lessee; and provided, further, that at and upon any wharf erected or built upon property so leased any and all vessels shall have a right to dock, land and discharge passengers or merchandise upon payment to such lessee or lessees of reasonable dockage and wharfage. The dockage and wharfage shall be regulated and prescribed in such lease, and as thereafter, from time to time, may be determined by ordinance or resolution of said City of Monterey or by statute of the State of California.

SEC. 3. All acts or parts of acts in conflict herewith are hereby repealed.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF MONTEREY

CITY OF MONTEREY
MONTEREY, CALIFORNIA

OFFICE OF
CITY MANAGER

QUESTIONNAIRE REGARDING TIDELANDS AND SUBMERGED LANDS GRANTED BY THE STATE

September 11, 1948

1. The city manager has, under the charter, "general supervision over all city property, including public buildings, parks and playgrounds."
2. In 1868 the State of California granted to the City of Monterey the tidelands and submerged lands to a depth of 20 feet. Subsequently the City of Monterey was granted the submerged lands to a depth of 60 feet. For many years the city has owned and operated Fisherman's Wharf at the foot of Alvarado Street. The original cost of this wharf to the city was about $18,000. It was built by a steamship company, and sold to the city. Since its acquisition, the area has been extended. This has been done a little at a time, and there are no records of the cost of construction. It would cost approximately $150,000 to replace this structure.

   Municipal Wharf No. 2 was built in 1926-27 at a total cost of $298,000. The money was raised by a bond issue. This issue will be fully paid in 1964.

   The breakwater was built by the Federal Government at no cost to the city except the cost of the approaches to said breakwater. The city did participate in the capping of said breakwater to the extent of $10,000. This was done as a joint project by the Federal Government and the City of Monterey.

   Extensive improvements in the bay and on shore are contemplated if and when the proposed breakwater project (now being studied by Army Engineers) is completed. The improvements in mind are recreational and commercial.
3. Public funds have been expended for development and improvement of granted lands as indicated above. In addition to the amounts shown, many thousands of dollars have been spent in the maintenance of the structures described.
4. Almost the entire perimeter of Fisherman's Wharf is occupied by buildings of lessees. These buildings front on the wharf and extend into the water at right angles thereto for a distance of from 30 to

135 feet. In addition, two of the oil companies, Standard and Shell, have built finger wharves for the servicing of boats. The total value of the improvements of said lessees is estimated to be in excess of $250,000.

The warehouse on Wharf No 2 has been converted to the use of wholesale fish concessionnaires. The total value of the improvements and equipment of said concessionnaires is estimated to be in excess of $100,000.

There are currently 32 fish canneries and reduction plants in Monterey. In almost every instance the main plant is so constructed that a portion of the building extends into the submerged land area on piling. In many instances from 50 to 90 percent of the building is over tidelands or submerged lands. The total value of said improvements is estimated to be in excess of $1,600,000.

5. Franchises and leases covered in No. 4.
6. Local agency receives approximately $40.000 annually from the canneries and concessionnaires. This money and more is used to maintain the facilities for the lessees.
7. Less than 1 percent of the granted lands are occupied or used by private individuals or corporations.
8. Local agency has not been divested of title or right to possession of granted lands.
9. The only judicial proceedings affecting title of local agency is the recent decision of the United States Supreme Court.

ANALYSIS OF THE REPLY OF THE CITY OF MONTEREY

The reply of the City of Monterey, while it indicates substantial compliance with the conditions of the statutes of grant and the trust under which the granted lands are held, nevertheless raises a strong possibility of unauthorized use and administration of such lands in specific particulars. An important condition contained in the statute of grant of 1919, Chapter 669, stipulates that not more than 300 feet of frontage shall be leased to any one person, individual, association, or corporation. Compliance with this express condition in the statute of grant should be investigated, as should the planned commercial use of the granted lands. It is noteworthy that the purpose to which revenues from the granted lands are expended is stated to be to maintain facilities for the lessees. Application of such funds in this manner should be examined by the committee, with a view toward amendatory legislation to protect the revenues from the granted lands.

Conclusion. The committee should investigate the leasing of the granted lands, as mentioned above, and also examine the purposes for which revenues from the granted lands are expended.

CITY OF NATIONAL CITY

SENATE BILL No. 451

CHAPTER 28

An act conveying certain tidelands and lands lying under inland navigable waters, situate in the Bay of San Diego to the City of National City, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

[Approved March 21, 1917]

The people of the State of California do enact as follows:

WHEREAS, Since the admission of California into the Union, all tidelands along the navigable waters of this State and all lands lying beneath the navigable waters of the State have been and now are held in trust by the State for the benefit of all the inhabitants thereof for the purpose of navigation, commerce and fishing; and

WHEREAS, It is the duty of the State to govern, administer and control such lands and to improve and develop navigation, commerce and fishing thereon and thereover; and

WHEREAS, The State has not the general power of alienation of such lands, but may, when the interests of commerce, navigation and fishing require it, convey to municipalities limited and defined areas of such lands with the power to govern, control, improve and develop the same in the interests of all the inhabitants of the State; and

WHEREAS, The conveyance to the City of National City of the lands hereinafter described, together with the right to govern, control, improve and develop the same will result in great advantage and benefit to all the inhabitants of the State, it is provided:

SECTION 1. There is hereby granted and conveyed to the City of National City, in the County of San Diego, State of California, all of the lands situate on the City of National City side of said bay, lying and being between the line of mean high tide and the pier head line in said bay, as the same has been or may hereafter be established by the Federal Government, and between the prolongation into the Bay of San Diego to the pier head line of the boundary line between the City of National City and the City of San Diego, and the prolongation into the Bay of San Diego to the pier head line of the boundary line between the City of National City and the City of Chula Vista.

SEC. 2. The City of National City shall have and there is hereby granted to it the right to make upon said premises all improvements, betterments and structures of every kind and character, proper, needful and useful for the development of commerce, navigation and fishing, including the construction of all wharves, docks, piers, slips, and the construction and operation of a municipal belt line railroad in connection with said dock system.

SEC. 3. No grant, conveyance or transfer of any character shall ever be made by the City of National City of the lands described in Section 1, or of any part thereof, but the said city shall continue to hold said lands and the whole thereof unless the same revert or be receded to the State of California. The Harbor of National City shall remain always a public harbor and the said city shall never charge or permit to be charged on

any of the premises by this act conveyed any unreasonable rate or toll, nor make nor suffer to be made any unreasonable charge, burden or discrimination. In the event of a violation of any of the provisions of this act, the said lands and the whole thereof shall revert to the State of California.

SEC. 4. The City of National City may lease for a term not exceeding 25 years any wharves, docks or piers constructed by it, and all such leases so executed shall reserve to the board of trustees of the City of National City, the right and privilege, by ordinance, to annul, change or modify such leases as in its judgment may seem proper. The aggregate amount of all wharves, docks and piers so leased by said city shall never exceed 75 percent of all the wharves, docks and piers actually constructed.

SEC. 5. The City of National City, may lease not to exceed an aggregate of 75 percent of the lands conveyed to it by this act, for a term not to exceed 25 years and upon which wharves, docks or piers have not been actually constructed, and, except by consent of the board of trustees of the City of National City under an ordinance of such board duly adopted, such leases shall not be assignable or transferable, nor shall any lessee have the right to sublet the leased premises or any part thereof, and all such leases so executed shall reserve to the board of trustees of the City of National City, the right and privilege, by ordinance to annul, change or modify such leases as in its judgment may seem proper; provided, however, that nothing in this act contained shall operate as a limitation upon the right and authority of the Harbor Commission of the State of California, at any time prior to the City of National City issuing its bonds as required in Section 6 hereof, of leasing any of the lands herein granted and conveyed to said National City, and the right and authority to enter into such leases at any time prior to issuing of such bonds, is hereby expressly conferred upon said harbor commission.

SEC. 6. The foregoing conveyance is made upon the condition that the City of National City shall, within five years from the approval of this act, exclusive of such time as said city may be restrained from so doing by injunction issued out of any court of this State or of the United States, and exclusive of such further delay as may be caused by unavoidable misfortune or great public or municipal calamity, issue its bonds for harbor improvement purposes in an amount of not less than $100,000. and shall, within five years after the approval of this act, exclusive of the time in this section hereinbefore mentioned, commence the work of such harbor improvement, and the said work and improvement shall be prosecuted with such diligence, that not less than $100,000 shall be expended thereon within five years from the approval of this act. If said bonds be not issued or said work be not prosecuted and completed as and in the manner herein provided, then the lands by this act conveyed to the City of National City shall revert to the State of California.

SEC. 7. The State hereby reserves unto itself at all times, the reasonable use of and access to all wharves, docks, piers, slips and quays hereafter constructed under the provisions of this act, for any vessel or water craft owned, leased, or operated by the State.

ASSEMBLY BILL No. 93

CHAPTER 46

An act conveying certain tidelands and lands lying under inland navigable waters, situate in the Bay of San Diego to the City of National City, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

[Approved April 27, 1923]

The people of the State of California do enact as follows:

WHEREAS, Since the admission of California into the union, all tidelands along the navigable waters of this State and all lands lying beneath the navigable waters of the State have been and now are held in trust by the State for the benefit of all the inhabitants thereof for the purpose of navigation, commerce and fishing; and

WHEREAS, It is the duty of the State to govern, administer and control such lands and to improve and develop navigation, commerce and fishing thereon and thereover; and

WHEREAS, The State has not the general power of alienation of such lands, but may, when the interests of commerce, navigation and fishing require it, convey to municipalities limited and defined areas of such lands with the power to govern, control, improve and develop the same in the interests of all the inhabitants of the State; and

WHEREAS, The conveyance to the City of National City of the lands hereinafter described, together with the right to govern, control, improve and develop the same will result in great advantage and benefit to all the inhabitants of the State; it is provided:

SECTION 1. There is hereby granted and conveyed to the City of National City, in the County of San Diego, State of California, all of the lands situate on the City of National City side of said bay, lying and being between the line of mean high tide and the pier head line in said bay, as the same has been or may hereafter be established by the Federal Government, and between the prolongation into the Bay of San Diego to the pier head line of the boundary line between the City of National City and the City of San Diego, and the prolongation into the Bay of San Diego to the pier head line of the northerly line of the street commonly known as Thirtieth Street, same being the southerly boundary of the City of National City, California.

SEC. 2. The City of National City shall have and there is hereby granted to it the right to make upon said premises all improvements, betterments and structures of every kind and character, proper, needful and useful for the development of commerce, navigation and fishing, including the construction of all wharves, docks, piers, slips, and the construction and operation of a municipal belt line railroad in connection with said dock system.

SEC. 3. No grant, conveyance or transfer of any character shall ever be made by the City of National City of the lands described in Section 1, or of any part thereof, but the said city shall continue to hold said lands and the whole thereof unless the same revert or be receded to the State of California. The Harbor of National City shall remain always a public harbor and the said city shall never charge or permit to be charged on any of the premises by this act conveyed any unreasonable rate or toll, nor make nor suffer to be made any unreasonable charge, burden or discrimination. In the event of a violation of any of the provisions of this act, the said lands and the whole thereof shall revert to the State of California.

SEC. 4. The City of National City may lease for a term not exceeding 25 years any wharves, docks or piers constructed by it, and all such leases so executed shall reserve to the board of trustees of the City of National City, the right and privilege, by ordinance, to annul, change or modify such leases upon the violation of any of the provisions thereof by the lessee as in its judgment may seem proper. The aggregate amount of all wharves, docks and piers so leased by said city shall never exceed 75 percent of all the wharves, docks and piers actually constructed.

SEC. 5. The City of National City, may lease not to exceed an aggregate of 75 percent of the lands conveyed to it by this act, for a term not to exceed 25 years and upon which wharves, docks or piers have not been actually constructed, and, except by consent of the board of trustees of the City of National City under an ordinance of such board duly adopted, such leases shall not be assignable or transferable, nor shall any lessee have the right to sublet the leased premises or any part thereof without such consent.

SEC. 6. The State hereby reserves unto itself at all times the reasonable use of and access to all wharves, docks, piers, slips and quays hereafter constructed under the provisions of this act, for any vessel or water craft owned, leased or operated by the State.

CHAPTER 183

An act conveying certain tidelands and lands lying under inland navigable waters, situate in the Bay of San Diego to the City of National City, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State.

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted and conveyed to the City of National City in the County of San Diego, State of California, all of those certain tide and submerged lands of San Diego Bay, whether filled or unfilled, lying and being in the County of San Diego, State of California, and more particularly described as follows:

Beginning at a point on the southerly boundary of the City of National City, at the intersection of the said boundary with the ordinary high water mark of San Diego Bay as said point of intersection is delineated on Miscellaneous Map No. 185, Records of San Diego County, and running thence along the said ordinary high water mark, as delineated on said Miscellaneous Map No. 185, S. 31 degrees 10 minutes E., 26 84 feet, N. 77 degrees 20 minutes E., 251.04 feet, S. 41 degrees 01 minutes 29 seconds E., 493.67 feet, S. 40 degrees 52 minutes E., 261.31 feet, S 26 degrees 56 minutes E., 695.43 feet and S. 9 degrees 46 minutes W., 266.97 feet; thence out into San Diego Bay S. 71 degrees 43 minutes 29 seconds W., 2,636.31 feet to an intersection with a straight line joining United States Harbor Line Stations for San Diego Bay Nos. 303 and 495; thence along the said line joining Stations 303 and 495 N. 8 degrees 02 minutes 19 seconds W., 1,697.97 feet to the extension westerly of the southerly boundary of the City of National City; thence along the extension of said southerly boundary N. 71 degrees 44 minutes 34 seconds E., 1,808.18 feet to the place of beginning.

SEC. 2. The City of National City shall have and there is hereby granted to it the right to make upon said premises all improvements, betterments and structures of every kind and character, proper, needful and useful for the development of commerce, navigation and fishing, including the construction of all wharves, docks, piers, slips, and the construction and operation of a municipal belt line railroad in connection with said dock system.

SEC. 3. No grant, conveyance or transfer of any character shall ever be made by the City of National City of the lands described in Section 1, or of any part thereof, but the said city shall continue to hold said lands and the whole thereof unless the same revert or be receded to the State of California. The harbor of National City shall remain always a public harbor and the said city shall never charge or permit to be charged on any of the premises by this act conveyed any unreasonable rate or toll, nor make nor suffer to be made any unreasonable charge, burden or discrimination. In the event of a violation of any of the provisions of this act, the said lands and the whole thereof shall revert to the State of California.

SEC. 4. The City of National City may lease for a term not exceeding 25 years any wharves, docks or piers constructed by it, and all such leases so executed shall reserve to the board of trustees of the City of National City, the right and privilege, by ordinance, to annul, change or modify such leases upon the violation of any of the provisions thereof by the lessee as in its judgment may seem proper. The aggregate amount of all wharves, docks and piers so leased by said city shall never exceed 75 percent of all the wharves, docks and piers actually constructed

SEC. 5. The City of National City, may lease not to exceed an aggregate of 75 percent of the lands conveyed to it by this act, for a term not to exceed 25 years and upon which wharves, docks or piers have not been actually constructed, and, except by consent of the board of trustees of the City of National City under an ordinance of such board duly adopted, such leases shall not be assignable or transferable, nor shall any lessee have the right to sublet the leased premises or any part thereof without such consent.

SEC. 6 There is hereby reserved, however, in the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands for said purposes.

SEC. 7 There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said land, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from said land.

SEC. 8. The lands herein described are granted subject to the express reservation and condition that the State may at any time in the future use said lands or any portion thereof for highway purposes without compensation to the city, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements taken or the damages to such interest.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF NATIONAL CITY

THE CITY OF NATIONAL CITY

NATIONAL CITY, CALIFORNIA

OFFICE OF THE ADMINISTRATIVE OFFICER

August 6, 1948

ASSEMBLYMAN RALPH C. DILLS
Chairman, Interim Committee on Petroleum Problems
California State Legislature
Sacramento 14, California

DEAR ASSEMBLYMAN DILLS: Your letter to Mayor Gilbert E. Fritz, of this city, has been referred to my office for reply. In answering the questionnaire which you enclosed in your letter, I shall not repeat the questions but shall answer them in the same numerical order as you have them listed.

1. The city council, City of National City, is charged with the duty of administering tidelands, and submerged lands that have been granted by the State.
2. The city council has made application to the Federal Government for assistance in a flood control and small boat harbor development, which has received preliminary approval. A complete study has been authorized by the Federal Government. The city council has, also, made tentative plans for a progressive development of the tidelands which would include dredging, quay wall construction, road development, and possibly some pier construction.
3. To date the amount of public funds that have been spent in making these plans would probably not exceed a thousand dollars.
4. The only lease now in effect is with the Santa Fe Railroad for a wye track. The value of which is approximately $25,000.
5. I believe Question No. 5 is answered in Question No. 4.
6. The annual revenue received is somewhat variable due to several beach right leases for salvaging purposes this year. The amount of the revenue was approximately $1,500. It came from leases, and is deposited in a Harbor Improvement Fund to be used for harbor development.
7. About 1 percent of the grant lands are being used at this time.
8. In answering Question No. 8, it might be well to explain, the Federal Government through Eminent Domain Proceedings, took 135 acres of our tidelands during the war period. Prior to that time in 1938, the City of National City, voted 96 acres to the Federal Government for the enlargment of the United States Naval Station, formerly known as the Destroyer Base. The agreement made between the government and National City at the time this land

was obtained, was that the Federal Government would fill the remainder of our tidelands. Approximately 135 acres were filled, and several substantial leases were made by the city on this property. During the war the Navy found it necessary to expand and condemn the 135 acres. However, in the development of this land, they filled the balance of National City tidelands. The final settlement in this case was affected last year, so the tidelands which National City had developed, was taken by the government, and we now have undeveloped tidelands in our possession.

9. I believe Question No. 9 is answered in the foregoing Question No. 8.

If you desire further information concerning these tidelands, I will be glad to cooperate in any way that I can. I trust the foregoing answers will adequately serve your purpose.

Sincerely yours,

DELAVAN J. DICKSON
Administrative Officer

ANALYSIS OF THE REPLY OF THE CITY OF NATIONAL CITY

The reply of the City of National City discloses that tentative plans for compliance with the statutes of grant have been undertaken, in the application for federal flood control funds. Expenditures of public funds to date total less than $1,000, and contemplated expenditures are affirmed but unspecified. The lease to the Santa Fe Railroad and the so-called "beach right lease for salvaging purposes" both may, upon examination, be determined to constitute an unauthorized use and administration of the granted lands, in violation of the express conditions of the statutes of grant. The divestment of title and right to possession of 231 acres of the granted lands by the Federal Government should be subjected to close scrutiny.

Conclusion. The committee should conduct immediate and comprehensive surveys, research, examinations, and investigations to obtain sufficiently complete and detailed information relating to possible failure to develop and improve the granted lands, the leasing thereof, and the agreement of conveyance with the Federal Government, to which the State of California was not a party, in order to enable the committee adequately to report to the Assembly on the advisability of reacquisition of the granted lands.

CITY OF OAKLAND

CHAPTER 657

An act granting certain tidelands and submerged lands of the State of California to the City of Oakland and regulating the management, use and control thereof.

[Approved May 1, 1911]

The people of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby granted to the City of Oakland, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California held by said

State by virtue of its sovereignty in and to all tidelands and submerged lands whether filled or unfilled, which are included within that portion of the City of Oakland that lies westerly of the western line of Pine Street, as Pine Street exists between Atlantic Street and Goss Street and as shown upon that certain map entitled "Map of land on Oakland point (railroad ferry landing) City of Oakland, tract 406" filed May 24, 1864, in book of maps 5, page 33, records of Alameda County, and said western line of Pine Street produced northerly and southerly, excepting, however, from said tidelands and submerged lands such of said lands as lie northerly of the northern boundary line of the City of Oakland, and the western extension thereof, as said northern boundary line was established by an act of the Legislature of the State of California, entitled, "An act to amend an act entitled 'An act to incorporate the City of Oakland,' passed March 25, 1854, and repealing certain other acts in relation to said city," approved April 24, 1862, to be forever held by said city and by its successors in trust for the use and purposes and upon the expressed conditions following, to wit:

(a) That said lands shall be used by said city and its successors, only for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said city, or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, for purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce or navigation at said harbor.

(b) That said harbor shall be improved by said city without expense to the State, and shall always remain a public harbor for all purposes of commerce and navigation and the State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

(d) There is hereby reserved, however, in the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said land for said purpose.

SEC. 2. This act shall take effect immediately.

CHAPTER 654

An act granting certain lands and salt marsh and tidelands of the State of California, including the right to wharf out therefrom to the City of Oakland, and regulating the management, use and control thereof.

[Approved May 1, 1911]

The people of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby granted to the City of Oakland, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California held by said State by virtue of its sovereignty in and to all the salt marsh and tidelands in the present City of Oakland lying and being southerly from the southern line of East 14th Street in said City of Oakland, and easterly from the eastern limits of the former Town of Oakland (as said easterly limits of said town are described in the act of the Legislature of the State of California, entitled "An act to incorporate the Town of Oakland and to provide for the construction of wharves thereat," approved May 4, 1852, and as said eastern limits of said town are determined and defined by the Supreme Court of the State of California, in the action entitled "*City of Oakland* v. *Oakland Water Front Company*," decided by said court September 13, 1897), and the right to wharf out therefrom, to be forever held by said city and by its successors in trust for the uses and purposes and upon the expressed conditions following, to wit:

That said laids shall be used by said city and its successors, only for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said city, or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, for purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce or navigation at said harbor, for a term not exceeding 25 years, and on such other terms and conditions as said city may determine, including a right to renew such lease or leases for a further term not exceeding 25 years or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases, and said lease or leases may be for any and all purposes which shall not interfere with navigation or commerce, with reversion to the said city on the termination of such lease or leases of any and all improvements thereon, and on such other terms and conditions as the said city may determine, but for no purpose which will interfere with navigation or commerce; subject also to a reservation in all such leases or such wharfing out privileges of a street, or of such other reservation as the said city may determine for a belt line railroad where the same may be deemed necessary by the said city; and such other reservations as the city may require, and for sewer outlets, and for gas and oil mains, and for hydrants, and for electric cables and wires, and for such other conduits for municipal purposes, and for

such public and municipal purposes and uses as may be deemed necessary by the said city; provided, however, that each person, firm or corporation or their heirs, successors or assigns now in possession of land or lands abutting on said lands, within the boundaries of the City of Oakland lying and being southerly from the southern line of East 14th Street in said City of Oakland and easterly from the eastern limits of the former Town of Oakland as hereinbefore firstly described, and lying and being westerly from the easterly boundary line of the City of Oakland as it existed in A.D. 1908, shall have a right to obtain a lease for a term of 25 years from said city of said land and wharfing out privileges therefrom with a right of renewal for a further term of 25 years pursuant to the provisions of this act and on such terms and conditions as said city may determine and specify, subject to the right of said city to terminate said lease at the end of the first 25 years or refuse to renew the same, or to terminate the lease so renewed during the term of such renewed lease on such just and reasonable terms for compensation for improvements at the then value of said improvements as said city may determine and specify.

Upon obtaining such lease and wharfing out privileges such person, firm or corporation, their heirs or assigns, shall quitclaim to said city any right they or any of them may claim or have to the said lands hereby granted.

This grant shall carry the right to such city of the rents, issues and profits in any manner hereafter arising from the lands or wharfing out privileges hereby granted.

The State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California.

No discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors in the management, conduct or operation of any of the utilities, structures or appliances mentioned in this section.

There is hereby reserved in the people of the State of California the right to fish in the waters on which said lands may front with the right of convenient access to said waters over said lands for said purpose.

SEC. 2. This act shall take effect immediately.

SENATE BILL No. 887

CHAPTER 59

An act to amend Section 1 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Oakland, and regulating the management, use and control thereof," approved May 1, 1911.

[Approved April 5, 1917]

The people of the State of California do enact as follows:

SECTION 1. Section 1 of the act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of

Oakland, and regulating the management, use and control thereof," approved May 1, 1911, is hereby amended to read as follows:

Section 1. There is hereby granted to the City of Oakland, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California held by said State by virtue of its sovereignty in and to all tidelands and submerged lands whether filled or unfilled which are included within that portion of the City of Oakland that lies westerly of the western line of Pine Street, as Pine Street exists between Atlantic Street and Goss Street and as shown upon that certain map entitled "map of land on Oakland point (railroad ferry landing) City of Oakland, Tract 406," filed May 24, 1864, in Book of Maps 5, page 33, records of Alameda County, and said western line of Pine Street produced northerly and southerly, excepting, however, from said tidelands and submerged lands such of said lands as lie northerly of the northern boundary line of the City of Oakland, and the western extension thereof, as said northern boundary line was established by an act of the Legislature of the State of California entitled "An act to amend an act entitled 'An act to incorporate the City of Oakland,' passed March 25, 1854, and repealing cerain other acts in relation to said city," approved April 24, 1862, to be forever held by said city and by its successors in trust for the use and purposes and upon the expressed conditions following, to wit:

(a) That said lands shall be used by said city and its successors, only for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said city, or its successors, may grant franchises thereon for limited periods, but in no event exceeding 50 years for wharves and other public uses and purposes, and may lease said lands or any part thereof for limited periods, but in no event exceeding 50 years, for the purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce or navigation at said harbor.

(b) That said harbor shall be improved by said city without expense to the State, and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures, or appliances mentioned in paragraph (a), no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

(d) There is hereby reserved, however, in the people of the State of California the absolute right to fish in all the waters of said harbor, with the right of convenient access to said waters over said land for said purpose.

ASSEMBLY BILL No. 730

CHAPTER 516

An act to amend Section 1 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Oakland, and regulating the management, use and control thereof," approved May 1, 1911, and an act amendatory thereof, approved April 5, 1917.

[Approved May 27, 1919]

The people of the State of California do enact as follows:

SECTION 1. Section 1 of the act entitled "An act to amend Section 1 of an act entitled 'An act granting certain tidelands and submerged lands of the State of California to the City of Oakland, and regulating the management, use and control thereof,' approved May 1, 1911," approved April 5, 1917, is hereby amended to read as follows:

Section 1. There is hereby granted to the City of Oakland, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California held by said State by virtue of its sovereignty in and to tidelands and submerged lands, whether filled or unfilled, which are included within that portion of the City of Oakland that lies westerly of the western line of Pine Street, as Pine Street exists between Atlantic Street and Goss Street, and as shown upon that certain map entitled "map of land on Oakland point (railroad ferry landing) City of Oakland, tract 406," filed May 24, 1864 in book of maps 5, page 33, records of Alameda County, and said western line of Pine Street produced northerly and southerly, to be forever held by said city and by its successors in trust for the use and purposes and upon the expressed conditions following, to wit:

(a) That said lands shall be used by said city and its successors, only for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said city, or its successors, may grant franchises thereon for limited periods, but in no event exceeding 50 years for wharves and other public uses and purposes, and may lease said lands or any part thereof for limited periods, but in no event exceeding 50 years, for the purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce or navigation at said harbor.

(b) That said harbor shall be improved by said city without expense to the State, and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

(d) There is hereby reserved, however, in the people of the State of California the absolute right to fish in all the waters of said harbor, with the right of convenient access to said waters over said land for said purpose.

ASSEMBLY BILL No. 196

CHAPTER 174

An act granting certain lands, tidelands and submerged lands of the State of California to the City of Oakland and regulating the management, use and control thereof.

[Approved May 18, 1923]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Oakland, a municipal corporation of the State of California, and to its successors, all of the right, title and interest of the State of California held by said State by virtue of its sovereignty in and to all lands tidelands and submerged lands, whether filled or unfilled, in the present City of Oakland, consisting of three parcels hereinafter described, to wit:

Parcel 1. A piece of land bounded on the north by the line of ordinary low tide of May 4, 1852; on the south by the southern boundary of said City of Oakland; on the west by the projection southerly of the center line of Adeline Street as the same now exists; and on the east by the projection southerly of the eastern line of Washington Street as the same now exists.

Parcel 2. A piece of land bounded on the north by the southern line of property now owned by said City of Oakland; on the south by the southern boundary of said City of Oakland; on the west by the projection southerly of the center line of Franklin Street as the same now exists; and on the east by the projection southerly of the easterly line of Webster Street as the same now exists.

Parcel 3. A piece of land bounded on the north by the present termination of Broadway Street, on the south by the southern boundary line of said City of Oakland, on the west by the projection southerly of the western line of Broadway, as the same now exists, and on the east by the projection southerly of the easterly line of said Broadway Street, as the same now exists.

to be forever held by said city, and its successors, in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands shall be used by said city, and its successors, only for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any

individual, firm or corporation for any purposes whatever; provided, that said city, or its successors, may grant franchises thereon for limited periods (but in no event exceeding 50 years), for wharves and other public uses and purposes and may lease said lands, or any part thereof, for limited periods (but in no event exceeding 50 years), for purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce or navigation at said harbor.

(b) That said harbor shall be improved by said city without expense to the State, and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have at all times, the right to use, without charge, all wharves, docks, piers, slips, quays, and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

(d) There is hereby reserved, however, in the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said land for said purpose.

SENATE BILL No. 565

CHAPTER 621

An act granting certain lands and salt marsh and tidelands of the State of California to the City of Oakland, including the management, use and control thereof.

[Approved by the Governor, June 5, 1931]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Oakland, a municipal corporation of the State of California, and to its successors, all of the right, title and interest of the State of California held by said State by virtue of its sovereignty in and to all lands, tidelands and submerged lands, whether filled or unfilled, included within that portion of the City of Oakland described as follows:

Bounded on the north by the line of ordinary low tide as the location thereof may be hereafter fixed by agreement of the City of Oakland and the adjacent shore line owners, on the south by the southerly boundary line of said city; on the west by the southerly production of the western line of Pine Street, as Pine Street exists between Atlantic Street and Goss Street, and as shown upon that certain map entitled "Map of land on Oakland point (railroad ferry landing), City of Oakland tract 406," filed May 24, 1864, in book of maps 5, page 33, records of Alameda County; on the east by the westerly boundary line and the southerly production of same, of that certain piece or parcel of land heretofore conveyed to Moore Shipbuilding Company by the Western Pacific Railroad Company by deed dated September 15, 1919, and recorded in deed book 2833, page 119, records of Alameda County.

To be forever held by said city, and its successors, in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands shall be used by said city, and its successors, only for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said city, or its successors, may grant franchises thereon for limited periods (but in no event exceeding 50 years), for wharves and other public uses and purposes and may lease said lands, or any part thereof, for limited periods (but in no event exceeding 50 years), for purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce and navigation at said harbor.

(b) That said harbor shall be improved by said city without expense to the State, and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have at all times, the right to use, without charge, all wharves, docks, piers, slips, quays, and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

(d) There is hereby reserved, however, in the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands for said purpose

(e) There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said land, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from said land.

SENATE BILL No. 636

CHAPTER 96

An act to add Section 1 5 to an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Oakland and regulating the management, use and control thereof," approved May 1, 1911, relating to the use and transfer of such lands; declaring the urgency thereof; and providing this act shall take effect immediately.

[Approved by the Governor April 24, A D. 1937]

The people of the State of California do enact as follows:

SECTION 1. Section 1.5 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 1.5. The city may give or grant to the State of California, the California Toll Bridge Authority or the California Highway Commission such part of the tidelands and submerged lands described herein, whether

filled or unfilled, as shall be required to construct, operate and maintain bridges, bridge approaches, highways, and transportation facilities thereof or thereto upon, and structures and facilities, in connection therewith, over and across such portions of said tidelands and submerged lands and upon such terms and conditions as may be agreed upon by the city and the authority or commission; provided, that upon the cessation of the use of such lands by the authority or commission, or their successors, such lands shall revert to the city subject to the uses, purposes and conditions herein set forth.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution, and shall accordingly take effect immediately. The facts constituting such urgency are the following:

The California Toll Bridge Authority now has pending before the Reconstruction Finance Corporation an application for the allotment of additional funds with which to construct an overpass on and a connection with the San Francisco-Oakland Bay Bridge; that the overpass and connection are necessary to facilitate and more safely distribute traffic using such bridge and to prevent the crossing of bridge approaches at grade; with its consequent danger to life, limb and property; that unless such allotment is procured, such overpass and connection can not be built; and that such allotment will not be made unless the legal authority of the officers concerned to make the agreements herein authorized is certain.

ASSEMBLY BILL No. 1078

CHAPTER 343

An act granting certain salt marsh, tide and submerged lands of the State of California to the City of Oakland, including the management, use and control thereof.

[Approved by the Governor May 24, A. D. 1937]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Oakland, a municipal corporation of the State of California, and to its successors, all of the right, title and interest of the State of California held by said State by virtue of its sovereignty in and to all lands, salt marsh, tidelands and submerged lands, whether filled or unfilled, included within that portion of the City of Oakland described as follows:

Bounded on the north by the line of ordinary low tide, as said line may have come to rest under natural conditions; on the south by the southern boundary line of said City of Oakland; on the west by the projection southerly of the western line of Alice Street, a public street of said city, as the same now exists; on the east by the north arm of the estuary of San Antonio.

To be forever held by said city, and its successors, in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands shall be used by said city, and its successors, only for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce

and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said city, or its successors, may grant franchises thereon for limited periods (but in no event exceeding 50 years), for wharves and other public uses and purposes and may lease said lands, or any part thereof, for limited periods (but in no event exceeding 50 years), for purposes consistent with the trust upon which said lands are held by the State of California, and with the requirements of commerce and navigation at said harbor.

(b) That said harbor shall be improved by said city without expense to the State, and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have at all times, the right to use, without charge, all wharves, docks, piers, slips, quays, and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

(d) There is hereby reserved, however, in the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands for said purposes.

(e) There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said land, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from said land.

(f) The lands herein described are granted subject to the express reservation and condition that the State may at any time in the future use said lands or any portion thereof for highway purposes without compensation to the city, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements taken or the damages to such interest

ASSEMBLY BILL No. 526

CHAPTER 908

An act to add a new section to be numbered Section 2 to Chapter 621 of the Statutes of 1931 entitled "An act granting certain lands and salt marsh and tidelands of the State of California to the City of Oakland, including the management, use and control thereof," approved June 5, 1931, relating to the grant of lands to said city.

[Approved by the Governor July 1, A. D. 1937]

The people of the State of California do enact as follows:

SECTION 1. A new section to be numbered Section 2 is hereby added to Chapter 621 of the Statutes of 1931, entitled "An act granting certain lands and salt marsh and tidelands of the State of California to the

City of Oakland, including the management, use and control thereof," approved June 5, 1931, to read as follows:

SEC. 2. In addition to the lands, tidelands and submerged lands granted by Section 1 of this act to the City of Oakland, there is hereby granted to said city, and to its successors forever, all of the right, title and interest of the State of California held by said State by virtue of its sovereignty in and to all lands, tidelands and submerged lands, whether filled or unfilled, included within that portion of the City of Oakland, described as follows:

Bounded on the west by the lands heretofore granted to the City of Oakland by this act, on the north by the line of ordinary low tide, on the east by the center line of Adeline Street produced southwardly, and on the south by the southerly boundary line of said city.

Said grant is hereby made to the City of Oakland, and to its successors, in trust, for the uses and purposes, and subject to the powers, duties and conditions set forth in this act as to the land previously granted, and to the express reservation and condition that the State may at any time in the future use said lands or any portion thereof for highway purposes without compensation to the city, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements taken or the damages to such interest.

ASSEMBLY BILL No. 1885

CHAPTER 143

An act to add Section 1.25 to an act entitled "An act granting certain lands and salt marsh and tidelands of the State of California, to the City of Oakland," approved March 22, 1909, relating to the use and transfer of parts of such lands to the State of California for State Militia purposes.

[Approved by Governor May 15, 1939. Filed with Secretary of State May 15, 1939]

The people of the State of California do enact as follows:

SECTION 1. Section 1.25 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 1.25. The city, acting by and through its city council and board of port commissioners, may give or grant to the State of California, or its appropriate agency or authority, such part of the tidelands, salt marsh and submerged lands described herein, located in the City of Oakland between Third Avenue and the channel leading to Lake Merritt from the San Antonio Estuary and between East Eighth Street and the existing tracks of the Seventh Street line of the Southern Pacific Company, whether filled or unfilled, as shall be required to construct, operate and maintain structures, facilities and yard space for the use of the National Guard, and other State Militia purposes, upon such terms and conditions as may be agreed upon by the city and the State, or its agency or officers having authority therein; provided, that upon the cessation of the use of such lands by the State, or its agency or proper authority, or their successors, for the purposes herein set forth, such lands shall revert to the city subject to the uses, purposes and condition in this act originally provided.

ASSEMBLY BILL No. 1358

CHAPTER 590

An act quitclaiming to the City of Oakland the interest of the State of California arising by virtue of tax deeds in and to certain salt marsh, tide and submerged lands.

[Approved by Governor June 4, 1941. Filed with Secretary of State June 4, 1941]

The people of the State of California do enact as follows:

SECTION 1. There is hereby quitclaimed to the City of Oakland, a municipal corporation of the State of California, and to its successors all the right, title and interest of the State of California, if any, arising by virtue of any tax deeds, remaining after redemption therefrom, in and to any and all salt marsh, tide and submerged lands, whether filled or unfilled, described as follows:

All those certain lots, pieces or parcels of land, situate lying and being in the County of Alameda, State of California, and bounded and particularly described as follows, to wit:

Parcel One: Real property in the City of Oakland, County of Alameda, State of California, described as follows:

Lots 25, 26, 27 and 28 in Sec. 29, T. 2 S., R. 3 W., Mount Diablo Base and Meridian, as said lots are shown on the map of "Sale Map No. 10, Salt Marsh and Tidelands, situate in the County of Alameda, State of California"—filed June 9, 1888, in the office of the county recorder of Alameda County.

Parcel Two: Real property partly in the City of Oakland and partly in the Township of Eden, County of Alameda, State of California, described as follows:

Beginning at the northwest corner of the southwest quarter of the southeast quarter of Sec. 29, T. 2 S., R. 3 W., Mount Diablo Base and Meridian; running thence east 20 chains; thence south 20 chains; thence east 20 chains; thence south 20 chains to the apparent line of low tide; thence along said line north 63½ degrees west 44.70 chains; thence north 20 chains to the point of beginning.

Being a portion of Survey 59 of Salt Marsh and Tidelands in the County of Alameda.

Parcel Three: Real property in the Township of Eden, County of Alameda, State of California, described as follows:

Lots 1, 4 and 5 in Sec. 32, T. 2 S., R. 3 W., Mount Diablo Base and Meridian, as said lots are shown on the map of "Sale Map No. 10, Salt Marsh and Tidelands, situate in the County of Alameda, State of California"—filed June 9, 1888, in the office of the county recorder of Alameda County.

Excepting therefrom that portion thereof lying within the lines of parcel numbered 2 hereinabove described.

Parcel Four: Lots 3, 4, 5, 6, 7 and 8 in Sec. 33, T. 2 S., R. 3 W., Mount Diablo Base and Meridian, as said lots are shown on the map of "Sale Map No. 10, Salt Marsh and Tidelands, situate in the County of Alameda, State of California"—filed June 9, 1888, in the office of the county recorder of Alameda County.

SENATE BILL No. 558

CHAPTER 720

An act to transfer to the City of Oakland a surface easement over certain tide and submerged lands and to define the powers and duties of the city in relation thereto.

[Approved by Governor June 13, 1941. Filed with Secretary of State June 13, 1941]

The people of the State of California do enact as follows:

SECTION 1. There is hereby transferred to the City of Oakland, a municipal corporation, and to its successors forever, a surface easement over all lands, salt marsh, tidelands and submerged lands, whether filled or unfilled, included within that portion of the City of Oakland described as follows:

Bounded on the north by the line of ordinary low tide, as said line may have come to rest under natural conditions; on the south by the southern boundary line of said City of Oakland lying in the estuary of San Antonio, on the west by the projection southerly of the westerly line of Harrison Street, a public street of said city; and on the east by the projection southerly of the western line of Alice Street, a public street of said city

Bounded on the north by the line of ordinary low tide, as said line may have come to rest under natural conditions; on the south by the southern boundary line of said City of Oakland lying in the estuary of San Antonio, on the west by the projection southerly of the easterly line of Washington Street, a public street of said city; and on the east by the projection southerly of the westerly line of Broadway, a public street of said city.

Bounded on the north by the line of ordinary low tide, as said line may have come to rest under natural conditions; on the south by the southern boundary line of said City of Oakland lying in the estuary of San Antonio; on the west by the projection southerly of the easterly line of Broadway, a public street of said city; and on the east by the projection southerly of the center line of Franklin Street, a public street of said city.

Said transfer is made for the following uses and purposes and subject to the following conditions:

(a) That said lands shall be used by said city, and its successors, only for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, ships ways or other industrial uses and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alienate said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said city, or its successors, may grant franchises thereon for terms not in excess of 25 years for uses specified in this paragraph; and may lease said lands for the purposes aforesaid, or any of them, for such period or periods not to exceed 50 years, and under such terms and conditions as may be prescribed by the governing body of the City of Oakland.

(b) That said harbor shall be improved by said city without expense to the State, and shall always remain a public harbor for all purposes of

commerce and navigation, and the State of California shall have at all times, the right to use, without charge, all wharves, docks, piers, slips, quays, and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, or airplane or seaplane owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances herein mentioned, no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

(d) There is hereby reserved, however, in the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands for said purposes

(e) That there is hereby reserved to the State of California the right and power to prospect for, mine, extract, and remove from said lands any minerals, oil, gas, and other hydrocarbons, and all other things of value which may be contained in the subsurface of said lands; but any such prospecting, mining, extraction, and removal shall not be conducted by the State, or those who hold under the State, in such manner as to unreasonably interfere with the administration herein transferred to the city.

(f) The lands herein described are granted subject to the express reservation and condition that the State may at any time in the future use said lands or any portion thereof for highway purposes without compensation to the city, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements taken or the damages to such interest.

SEC. 2. Portions of the low tide line above mentioned never having been located on the ground, the city hereby is empowered to fix the same by agreement with abutting owners or by other appropriate means.

SENATE BILL No. 252

CHAPTER 218

An act to transfer to the City of Oakland a surface easement over certain tide and submerged lands and to define the powers and duties of the city in relation thereto.

[Approved by Governor May 3, 1945. Filed with Secretary of State May 3, 1945]

The people of the State of California do enact as follows:

SECTION 1. There is hereby transferred to the City of Oakland, a municipal corporation, and to its successors forever, a surface easement over all lands, salt marsh, tidelands and submerged lands, whether filled or unfilled, included within that portion of the City of Oakland described as follows:

Bounded on the north by the line of ordinary low tide as said line may have come to rest under natural conditions; on the south by the southerly boundary line of said City of Oakland lying in the Estuary of San Antonio; on the west by a line drawn parallel with and distant

250 feet eastwardly from the southerly production of the easterly line of Webster Street, a public street in said city; on the east by the southerly production of the westerly line of Harrison Street, a public street of said city.

Said transfer is made for the following uses and purposes and subject to the following conditions:

(a) That said lands shall be used by said city, and its successors, only for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said city, or its successors, may grant franchises thereon for terms not in excess of 25 years for uses specified in this paragraph.

(b) That said harbor shall be improved by said city without expense to the State, and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have at all time, the right to use, without charge, all wharves, docks, piers, slips, quays, and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, or airplane or seaplane owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances herein mentioned, no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

(d) There is hereby reserved, however, in the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands for said purposes.

(e) That there is hereby reserved to the State of California the right and power to prospect for, mine, extract, and remove from said lands any minerals, oil, gas, and other hydrocarbons, and all other things of value which may be contained in the subsurface of said lands; but any such prospecting, mining, extraction, and removal shall not be conducted by the State, or those who hold under the State, in such manner as to unreasonably interfere with the administration herein transferred to the city.

(f) The lands herein described are granted subject to the express reservation and condition that the State may at any time in the future use said lands or any portion thereof for highway purposes without compensation to the city, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements taken or the damages to such interest.

ASSEMBLY BILL No. 544

CHAPTER 607

An act granting certain salt marsh, tide and submerged lands of the State of California to the City of Oakland, including the management, use and control thereof.

[Approved by Governor May 19, 1943. Filed with Secretary of State May 19, 1943]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Oakland, a municipal corporation of the State of California, and to its successors, all of the right, title and interest of the State of California held by said State by virtue of its sovereignty in and to all lands, salt marsh, tidelands and submerged lands, whether filled or unfilled, included within that portion of the unincorporated territory of the County of Alameda, State of California, described as follows:

Bounded on the northeast and east by the southwesterly boundary line of the Rancho San Leandro as finally confirmed to Jose Joaquin Estudillo, and the patent of which was recorded November 30, 1863, in Book "A" of patents, at page 105, Alameda County records; on the southwest by the boundary line of the City of Oakland as extended by the board of supervisors of the County of Alameda by its Resolution No. 32731 filed on August 10, 1938, with the Secretary of State of the State of California, and the northeast boundary of tide lots numbered 4, 3, 14 and 15, section 33, T. 2 S., R. 3 W., as shown on Sale Map No. 10 of salt marsh and tidelands, etc., prepared under the direction of the Board of Tideland Commissioners of the State of California; and on the northwest by the boundary line of the City of Oakland; saving and excepting therefrom the right of way or strip of land occupied by the railroad line of Southern Pacific Company.

To be forever held by said city, and its successors, in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands shall be used by said city, and its successors, only for the establishment, improvement and conduct of a harbor, including an airport or aviation facilities, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures, facilities and appliances necessary or convenient for the promotion and accommodation of commerce and navigation by air as well as by water, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said city, or its successors, may grant franchises thereon for limited periods (but in no event exceeding 50 years), for wharves and other public uses and purposes and may lease said lands, or any part thereof, for limited periods (but in no event exceeding 50 years), for purposes consistent with the trust upon which said lands are held by the State of California, and with the requirements of commerce and navigation at said harbor.

(b) That said lands shall be improved by said city without expense to the State, and shall always remain available for public use for all purposes of commerce and navigation, and the State of California shall have at all times, the right to use, without charge, all wharves, docks, piers, slips, quays, and other improvements and facilities constructed on said

lands, or any part thereof, for any vessel or other water or air craft, or railroad, owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures, appliances or facilities mentioned in paragraph (a), no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

(d) There is hereby reserved, however, in the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands for said purposes.

(e) There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said land, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from said land.

(f) The lands herein described are granted subject to the express reservation and condition that the State may at any time in the future use said lands or any portion thereof for highway purposes without compensation to the city, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements taken or the damages to such interest.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF OAKLAND

PORT OF OAKLAND BOARD OF PORT COMMISSIONERS

GENERAL OFFICES: GROVE STREET PIER
OAKLAND 7, CALIFORNIA

CLAIRE V GOODWIN, PRESIDENT
CLIFFORD D ALLEN, VICE PRESIDENT STANLEY A BURGHARDT, VICE PRESIDENT
DUDLEY W FROST JAMES F GALLIANO
A H ADEL, PORT MANAGER, CHIEF ENGINEER AND SECRETARY
W REGINALD JONES, PORT ATTORNEY

August 18, 1948

RALPH C. DILLS, *Chairman,*
Assembly Interim Committee on Petroleum Problems
123 N. Tamarind Street, Compton, California

DEAR MR. DILLS: This is in reply to the questionnaire you sent the Mayor of the City of Oakland.

The waterfront of the City of Oakland has had a peculiar history and, consequently, would not be typical of the lands fronting on the harbors of the State. In 1852, when the Town of Oakland was organized, the legislative charter granted to the town all the lands within its borders between high tide and ship channel. Immediately upon its organization the town granted all of these lands to one Horace W. Carpentier. The phrase "ship channel" was defined to mean the line of low tide. Consequently, all tidelands proper, that is, lands lying between high and low tide within the original limits of Oakland, have been in private ownership, and no estimate of the improvements thereon or their value can be made; regardless to say, it runs into many millions of dollars.

It is therefore to be understood that the following replies to your questions relate only to lands that have been reclaimed below the original line of low tide.

(1) The Board of Port Commissioners of the City of Oakland is the agency having jurisdiction and control over the reclaimed and submerged lands along Oakland's waterfront

(2) Commencing in 1910 a desultory development took place with the erection of minor structures on these lands, but the real development did not begin until the formation of the Board of Port Commissioners in 1927. Since that time approximately 19,900 linear feet of berthing space has been provided along modern wharves and piers.

(3) A bond issue of $9,960,000 has been used in the development of these facilities together with, perhaps, a like sum derived from earnings which have been plowed back in the provision of new facilities

(4) Approximately 7,400 linear feet of bething space has been provided by private capital operating under franchises. The Southern Pacific Mole, together with part of its extensive freight yard, is located on such a franchise It is impossible to obtain information as to the value of these improvements.

(5) Approximately 118 leases and franchises are currently in effect on lands of this character.

(6) From these leases and franchises the Board of Port Commissioners derives an annual revenue of approximately $750,000 These revenues are used for the maintenance of existing harbor facilities and the construction of additional ones.

(7) See Nos. (4) and (5) and explanatory introductory paragraph.

(8) Approximately 400 acres of these lands situate in the Middle Harbor were granted by the city to the Federal Government for the development of the Oakland Naval Supply Depot. Approximately 322 acres of these lands were granted to the Federal Government for the development of Oakland Army Base. The lands were conveyed under compulsion because of the filing of eminent domain proceedings as to part of such lands and to part of the facilities already established by the city and which were deemed necessary for the maintenance of the commercial harbor. The conveyance was made reluctantly and by way of compromise to secure the return of part of such facilities.

(9) In *United States of America* v. *Certain Parcels of Land in the County of Alameda*, etc et al., No 21930-L, in the District Court of the United States, in and for the Northern District of California, Southern Division, and in *United States of America* v. *Certain Land in the County of Alameda*, etc. et al , No 22084-S, in the same court, the Federal Government asserted the right to take such lands granted by the State to the City of Oakland without compensation, including improvements thereon, for the use of the Army on the theory that such taking was within the right of the government to provide aids to navigation under the commerce power. It was argued that the Army and Navy existed to protect and foster commerce and that, consequently, any facility provided for the use of either was an aid to navigation within the meaning of the admitted right of the government to provide aids to navigation such as lighthouses, jetties, etc. The District Court rejected this contention in 53 Fed. Supp. 150. See also *United States* v *112.715 Acres of Land, Contra Costa County, Cal* , 53 Fed. Supp. 143, which was a companion case and consolidated with the Oakland case for the determination of this point.

As a general observation under this point, it is the belief of the writer that the case of *United States* v. *California*, purportedly involving only those lands outside of harbors and lying below the line of low tide out to the three-mile limit, definitely presents a threat to the lands under the control of the Board of Port Commissioners of the City of Oakland. The writer can validate no line of reasoning based on any precedent which differentiates between the ownership of the lands along the coast and lands within bays or harbors. The theory of sovereign ownership commenced with lands under the seas and it has advanced into harbors and up navigable waters to the point where the tides cease to ebb and flow. This was the result of the conclusion that the latter waters partook of the nature of the sea because of the presence of the tides. The writer is fearful that the doctrine of the *United States* v. *California* may in some future case be extended to cover all lands under navigable waters.

In conclusion, may I compliment the committee for making this study. In preparation for hearings before committees of Congress, those of us who have been directing it have had difficulty in compiling data such as you are now doing. It will be invaluable when the tideland legislation comes up in the next Congress.

Very truly yours,

W. REGINALD JONES
Port Attorney

ANALYSIS OF THE REPLY OF THE CITY OF OAKLAND

The reply of the City of Oakland, through the Board of Port Commissioners of the Port of Oakland, shows a substantial compliance with the conditions of the 17 statutes of grant of tide, submerged, and reclaimed lands and with the trust under which the granted lands are held. No value is given for improvements pursuant to franchises and leases. Apparently the use and administration of the granted lands has been in conformance with the intents and purposes of the statutes of grant. However, the reported 118 leases on the granted lands, and the alienation of a portion of the granted lands to the Federal Government should be scrutinized.

Conclusion. The committee should investigate the leases of the tide, submerged, and reclaimed land granted to the City of Oakland and the conveyance of a portion thereof to the Federal Government.

COUNTY OF ORANGE

ASSEMBLY BILL No. 1105

CHAPTER 526

An act granting certain tidelands and submerged lands of the State of California to the County of Orange in said State upon certain trusts and conditions.

[Approved May 27, 1919]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the County of Orange and to its successors all of the right, title and interest of the State of California held by said State by virtue of its sovereignty in and to all that portion of the tidelands and submerged lands bordering upon and under Newport Bay in the said County of Orange, which are outside of the corporate limits of the City of Newport Beach, a municipal corporation, the same to be forever held by said county and by its successors in trust for the uses and purposes and upon the express conditions following, to wit:

(a) Said lands shall be used by said county and by its successors solely for the establishment, improvement and conduct of a harbor and for the establishment and construction of bulkheads or breakwaters for the protection of lands within its boundaries, or for the protection of its harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, ways and streets, and other utilities, structures and appliances necessary or convenient for the promotion or accommodation of commerce and navigation, and the protection of the lands within said county. And said county or its successors shall not at any time grant, convey, give or alien said lands or any part thereof to any individual, firm, or corporation for any purposes whatever; provided, that said county or its successors may grant franchises thereon for a period not exceeding 25 years for wharves and other public uses and purposes, and may lease said lands or any part thereof for a period not exceeding 25 years for purposes consistent with the trust upon which said lands are held by the State of California, and with the requirements of commerce or navigation at said harbor.

(b) Said harbor shall be improved by said county without expense to the State and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have at all times the right to use, without charge, all wharves, docks, piers, slips, quays, and other improvements constructed on said lands or any part thereof for any vessel or other water craft or railroad owned or operated by the State of California.

(c) In the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances mentioned in paragraph (a) no discrimination in rates, tolls or charges, or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said county, or by its successors. The absolute right to fish in the waters of said harbor with the right of convenient access to said water over said lands for said purpose is hereby reserved to the people of the State of California.

ASSEMBLY BILL No. 1191

CHAPTER 575

An act to amend Section 1 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the County of Orange in said State upon certain trusts and conditions," approved May 25, 1919, relating to the granting of franchises upon, and leases of, the tidelands therein granted to the County of Orange.

[Approved by the Governor, May 29, 1929]

The people of the State of California do enact as follows:

SECTION 1. Section 1 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the County of Orange in said State upon certain trusts and conditions," approved May 25, 1919, is hereby amended to read as follows:

Section 1 There is hereby granted to the County of Orange and to its successors all of the right, title and interest of the State of California held by said State by virtue of its sovereignty in and to all that portion of the tidelands and submerged lands bordering upon and under Newport Bay in the said County of Orange, which are outside of the corporate limits of the City of Newport Beach, a municipal corporation, the same to be forever held by said county and by its successors in trust for the uses and purposes and upon the express conditions following, to wit:

(a) Said lands shall be used by said county and by its successors solely for the establishment, improvement and conduct of a harbor and for the establishment and construction of bulkheads or breakwaters for the protection of lands within its boundaries, or for the protection of its harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, ways and streets, and other utilities, structures and appliances necessary or convenient for the promotion or accommodation of commerce and navigation, and the protection of the lands within said county. And said county or its successors shall not at any time grant, convey, give or alien said lands or any part thereof to any individual, firm, or corporation for any purposes whatever; provided, that said county or its successors may grant franchises thereon for a period not exceeding 50 years for wharves and other public uses and purposes, and may lease said lands or any part thereof for a period not exceeding 50 years for purposes consistent with the trust upon which said lands are held by the State of California, and with the requirements of commerce or navigation at said harbor.

(b) Said harbor shall be improved by said county without expense to the State and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have at all times the right to use, without charge, all wharves, docks, piers, slips, quays, and other improvements constructed on said lands or any part thereof for any vessel or other water craft or railroad owned or operated by the State of California.

(c) In the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances mentioned in paragraph (a) no discrimination in rates, tolls or charges, or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said county, or by its successors. The absolute right to fish in

the waters of said harbor with the right of convenient access to said water over said lands for said purpose is hereby reserved to the people of the State of California.

DATA FURNISHED TO THE COMMITTEE BY THE COUNTY OF ORANGE

BOARD OF SUPERVISORS

FRED C ROWLAND
Santa Ana
First District
WILLIS H WARNER
Huntington Beach
Second District
JAMES A BAKER
Anaheim
Third District

WILLARD SMITH, Chairman
Orange
Fourth District
SYDNEY GEO GORDON
Newport Beach
Fifth District
B. I SMITH, Clerk
Santa Ana

Orange County, California

SANTA ANA, CALIFORNIA
September 13, 1948

MR. RALPH C. DILLS, *Chairman,*
Interim Committee on Petroleum Problems,
California Assembly, Sacramento 14, California

DEAR SIR: In reply to your questionnaire regarding tidelands and submerged lands granted by the State to Orange County, our investigation developed the following answers to your questions, by number:

1. County Board of Supervisors, through the Orange County Harbor Commission.
2. Development of Newport Harbor by dredging, filling, etc., and construction of county docks.
3. Yes Orange County voted $640,000 bond issue in 1934 Has supplied annual harbor budget since. Expenditures for fiscal year 1947-8 were $43,065. Budget for 1948-9 is $201,860, including $70,000 reserve.
4. None.
5. None.
6. Approximately $2,500 per year from mooring and docking rentals.
7. None.
8. No.
9. No.

We trust this will provide satisfactory information.

Yours sincerely,

GEORGE E. HART
Administrative Assistant

ANALYSIS OF THE REPLY OF THE COUNTY OF ORANGE

The reply of the County of Orange discloses a substantial compliance with the conditions of the statutes of grant and the trust under which the granted lands are held. The reply is not clear, however, with regard to leases and franchises relating to the granted lands, in that no leases or

franchises are said to be currently in effect, and no improvements resulting from leases or franchises are reported, but the county reports a revenue of $2,500 a year from the granted lands in the form of rentals, although it is stated that none of the granted lands is used or occupied by individuals or corporations.

Conclusion. The committee should investigate the matter of leases and franchises of or relating to the granted lands, and the questions of improvements thereon, revenues therefrom, and the use and occupancy thereof.

CITY OF PACIFIC GROVE

SENATE BILL No. 306

CHAPTER 690

An act granting to the City of Pacific Grove the title to the water front of said city, together with certain submerged lands in the Bay of Monterey contiguous thereto.

[Approved by the Governor, June 9, 1931]

The people of the State of California do enact as follows:

SECTION 1. The State of California does hereby cede, grant and relinquish, forever unto the City of Pacific Grove, a municipal corporation organized and existing under the laws of said State, all the right, title, interest, and estate, of said State of California, of, in, or to, all of the real estate, lands and property, contiguous to said City of Pacific Grove and bordering on or in the Bay of Monterey, and bounded and described, as follows to wit:

Parcel 1: Beginning at the intersection of the southeasterly corporate limit line (produced) of said City of Pacific Grove with the mean high tide line of the Bay of Monterey and running thence northwesterly along said mean high tide line to an intersection with the westerly line of Grand Avenue (produced) of said city, thence S. 80° E. 2,000 feet, thence N. 69° E., to a point in the Bay of Monterey where the depth of water in said bay is sixty (60) feet measured from mean low tide level, thence southeasterly along a line in said bay, which line shall be at a constant depth of sixty (60) feet of water measured from the mean low tide level of said bay to the intersection with said corporate limit line (produced); thence southwesterly along said produced line of said city limits to the place of beginning.

Parcel 2: Beginning at the point of intersection of the northerly property line of the lands of Mattie L. McDougall with the mean high tide line of the Bay of Monterey, which said point bears N. 19° 23′ 45″ E. 665 feet and S. 70° 36′ 15″ E. 200 feet, more or less, from the southeast corner of Ocean View Avenue and 17th Street of the City of Pacific Grove; running thence from said point N. 69° E. to a point in the Bay of Monterey where the depth of water in said bay is sixty (60) feet measured from mean low tide level; thence northwesterly along a line in said bay, which line shall be at a constant depth of sixty (60) feet measured from the mean low tide level of said bay to the intersection with the westerly city limit line (produced) of said City of Pacific Grove; thence S. 19° 22′ W. on and

along said city limits line (produced) to the point of intersection of said city limits line (produced) with the mean high tide line of the Bay of Monterey; thence southeasterly along said mean high tide line to the point of beginning.

Provided, however, that the rights of any and all persons, if any exist, under any title derived from said State of California, in and to any part of said property and premises hereby ceded and granted, be and the same are, hereby reserved from the operation of this act. Provided, however, that, except as hereinafter set forth, no part of said real property shall be used, employed, leased or disposed of in any manner whatsoever, for commercial, industrial or revenue producing uses or purposes.

Provided, however, that all or any part of said real property may be used, employed, leased or disposed of except as hereinafter provided, solely for public amusement and pleasure purposes including the use thereof for boat and yacht harbors, boating and yachting, swimming tanks and like or kindred purposes.

SEC. 2. The entire water front and lands hereby granted shall be held by the City of Pacific Grove and its lawful successors forever, for the use and benefit of said city, and shall not be subject to execution upon any judgment against said city; provided, however, that the following described portion of the real property hereby granted to said city and hereinabove described, may from time to time be let or leased for a term not exceeding 25 years, or for such less period as said city or its successors may deem to be most advantageous to said municipality, to wit: That portion of the above described lands lying within the following limits: Beginning at the intersection of the southeasterly corporate limit line of the said City of Pacific Grove with the mean high tide line of the Bay of Monterey and running thence northwesterly along said tide line 500 feet, thence leaving said tide line, north 60 degrees east to an intersection with a line projected north from the point of beginning, thence south to the point of beginning. Any lease made at any time for a term in excess of said maximum term hereinbefore prescribed shall be wholly void; provided, however, that not more than 300 of said 500 feet frontage of said water front last above described may be leased to any one lessee; and provided, further, that any and all vessels shall have the right to dock, land and discharge passengers or merchandise in, at and upon any wharf or pier erected or built upon property so leased as last above described upon the payment to any such lessee or lessees of reasonable dockage and wharfage fees and charges. Such fees and charges shall be regulated and prescribed in each such lease as from time to time may be determined by ordinance of said City of Pacific Grove or by statute of the State of California.

SEC. 3. Except as in this act otherwise prescribed, all valid rights of any and all persons, if such exist, in or to any part of said real property hereby ceded and granted to said City of Pacific Grove shall be and the same are hereby excepted and omitted from the provisions hereof.

SEC. 4. All acts and portions of acts in conflict herewith are hereby repealed.

SENATE BILL No. 762

CHAPTER 231

An act granting to the City of Pacific Grove the title to certain portions of the water front of said city together with certain submerged lands in the Bay of Monterey contiguous thereto.

[Approved by the Governor May 28, A D 1951]

The people of the State of California do enact as follows:

SECTION 1. The State of California does hereby cede, grant and relinquish, forever unto the City of Pacific Grove, a municipal corporation organized and existing under the laws of said State, all the right, title interest, and estate, of said State of California, of, in or to, all of the real estate, lands and property, contiguous to said City of Pacific Grove and bordering on or in the Bay of Monterey, and bounded and described, as follows, to wit:

Beginning at the point of intersection of the southeasterly corporate limit line of the City of Pacific Grove produced, and the line of mean high tide of the Bay of Monterey; thence northwesterly along said line of mean high tide to the intersection with the westerly corporate limit line of said city produced; thence N. 19° 22′ E. along said westerly corporate limit line produced, to the point in the Bay of Monterey where the depth of water in said bay is sixty (60) feet measured from the level of mean low tide; thence southeasterly along the line in said bay which line is at a constant depth of sixty (60) feet measured from the level of mean low tide, to the intersection with the southeasterly corporate limit line of said city produced; thence S. 58° 58′ W. along said southeasterly corporate limit line produced, to the point of beginning.

Provided, however, that the rights of any and all persons, if any exist, under any title derived from said State of California, in and to any part of said property and premises hereby ceded and granted, be and the same are, hereby reserved from the operation of this act. Provided, however, that, except as hereinafter set forth, no part of said real property shall be used, employed, leased or disposed of in any manner whatsoever for commercial, industrial or revenue producing uses or purposes.

Provided, however, that all or any part of said real property may be used, employed, leased or disposed of except as hereinafter provided, solely for public amusement and pleasure purposes including the use thereof for boat and yacht harbors, boating and yachting, swimming tanks and other like or kindred purposes.

SEC. 2. The entire water front and lands hereby granted shall be held by the City of Pacific Grove and its lawful successors forever, for the use and benefit of said city, and shall not be subject to execution upon any judgment against said city; provided, however, that the following described portion of the real property hereby granted to said city and hereinabove described, may from time to time be let or leased for a term not exceeding 25 years, or for such less period as said city or its successors may deem to be most advantageous to said municipality, to wit: That portion of the above described lands lying within the following limits: Beginning at the intersection of the southeasterly corporate limit line of the said City of Pacific Grove with the mean high tide line of the Bay

of Monterey and running thence northwesterly along said tide line 500 feet, thence leaving said tide line, north 60° east to an intersection with a line projected north from the point of beginning, thence south to the point of beginning. Any lease made at any time for a term in excess of said maximum term hereinbefore prescribed shall be wholly void; provided, however, that not more than 300 of said 500 feet frontage of said water front last above described may be leased to any one lessee; and provided, further, that any and all vessels shall have the right to dock, land and discharge passengers or merchandise in, at and upon any wharf or pier erected or built upon property so leased as last above described upon the payment to any such lessee or lessees of reasonable dockage and wharfage fees and charges. Such fees and charges shall be regulated and prescribed in each such lease as from time to time may be determined by ordinance of said City of Pacific Grove or by statute of the State of California.

SEC. 3. Except as in this act otherwise prescribed, all valid rights of any and all persons, if such exist, in or to any part of said real property hereby ceded and granted to said City of Pacific Grove shall be and the same are hereby excepted and omitted from the provisions hereof.

SEC. 4. The purpose of this act is to correct an omission in the description of the lands described in that certain act of the Legislature of the State of California entitled "An act granting to the City of Pacific Grove the title to the water front of said city, together with cerain submerged lands in the Bay of Monterey contiguous thereto." Approved by the Governor, June 9, 1931.

SEC. 5. All acts and portions of acts in conflict herewith are hereby repealed.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF PACIFIC GROVE

CITY OF PACIFIC GROVE

MONTEREY COUNTY

CITY COUNCIL

W R LAPORTE
MAYOR
J HAROLD HARPER
FRED W WORKMAN
E J BOLLINGER
C I COOK
ROGER MATTHEWS
HAROLD W WILDMAN

ALFRED D COONS
CITY MANAGER

JOHN D IRWIN
CLERK AND TREASURER

REGINALD E FOSTER
CITY ATTORNEY

PACIFIC GROVE, CALIFORNIA

August 9, 1948

THE HONORABLE RALPH C. DILLS
Interim Committee on Petroleum Problems
California State Legislature
State Capitol, Sacramento 14, Calif.

DEAR MR. DILLS: In response to your questionnaire of July 26th and in the same order are the answers to your questions.

1. The city manager is charged with the duty of administering tidelands and submerged lands that have been granted by the State.
2. We are contemplating the development of a yacht harbor.
3. About $300.
4. A pier has been constructed at about a cost of $20,000.

5. A concessionaire has a lease for renting boats and taking glass bottom boat trips.
6. Seven hundred fifty-nine dollars were paid the city during last fiscal year. The source was from the above-mentioned boat concession. The revenues were expended for maintenance of the beach and waterfront.
7. None of the lands are occupied or used by individuals or corporations.
8. No.
9. No.

Sincerely yours,

A. D. COONS
City Manager

ANALYSIS OF THE REPLY OF THE CITY OF PACIFIC GROVE

The reply of the City of Pacific Grove indicates formulation of plans for compliance with the conditions of the statutes of grant and with the trust under which the granted lands are held, although a satisfactory degree of compliance has not yet been achieved The single lease reported a boat concession, and the matter of the revenues derived therefrom and the purposes for which those revenues are expended should be examined by the committee. Despite the lease to a commercial boat concession, the report states that none of the granted lands is used or occupied by individuals or corporations.

Conclusion. The committee should investigate the leasing of the granted lands, the amount of revenues derived from such leasing and the purposes for which such revenues are expended, and the matter of the use and occupancy of the granted lands.

CITY OF PITTSBURG

SENATE BILL No. 214

CHAPTER 214

An act granting to the City of Pittsburg and its successors certain salt, marsh, tide and submerged land of the State of California, including the right to wharf out therefrom and grant franchises and leases thereon, and regulating the management, use and control thereof, also including the right of said city to collect the rents, issues and profits in any manner hereafter arising from the lands for wharf out privileges hereby granted.

[Approved by the Governor May 8, A D 1937]

The people of the State of California do enact as follows:

SECTION 1. The State of California does hereby cede, grant and relinquish unto the City of Pittsburg, a municipal corporation organized and existing under the laws of this State, all the right, title, interest and estate, of said State of California, of, in or to, all of the real estate, lands or property, contiguous to said City of Pittsburg, County of Contra Costa, State of California, and particularly described as follows to wit:

Commencing at a point bearing north 16¾ degrees east and distant five hundred (500) feet from the northeast corner of Block 18 of Hooper's

Addition to said town of Black Diamond as said town appears from the map or plat thereof filed in the office of the county recorder on the tenth day of February A.D , 1903, said point being the center line of the channel of New York Slough; thence from said point south 16¾ degrees west five hundred (500) feet to said northeast corner of Block 18; thence south 16¾ degrees west eleven hundred and forty (1140) feet; thence at right angles west 16¾ degrees north thirteen hundred and fifty (1350) feet; thence at right angles south 16¾ degrees west one hundred and eighty (180) feet; thence at right angles west 16¾ degrees north eleven hundred and seventy-five (1175) feet; thence at right angles north 16¾ degrees east fifteen hundred and fifty (1550) feet; thence at right angles east 16¾ degrees south three hundred and seventy-five (375) feet; thence at right angles north 16¾ degrees east two hundred and fifty (250) feet; thence at right angles east 16¾ degrees south fifty (50) feet; thence at right angles north 16¾ degrees east fifty (50) feet; thence north 68 degrees 45 minutes east one hundred and sixty (160) feet more or less to ordinary high water mark on New York Slough; thence north 16¾ degrees east five hundred (500) feet more or less to a point in New York Slough on the center line of the channel of said slough; thence southerly and easterly following the center line of said channel of said slough four thousand (4000) feet more or less to the point of commencement.

SEC. 2. The City of Pittsburg shall have and there is hereby granted to it the right to make upon said premises all improvements, betterments and structures of every kind and character, proper, needful and useful for the development of commerce, navigation and fishing, including the construction of all wharves, docks, piers and slips.

SEC. 3. No grant, conveyance or transfer of any character shall ever be made by the City of Pittsburg of the lands described herein, but the said city shall continue to hold said lands and the whole thereof unless the same revert or be receded to the State of California.

SEC. 4. The City of Pittsburg may lease upon such terms as it shall deem advisable, for a term not exceeding 25 years, any of such land or any wharves, docks or piers constructed thereon, and all such leases so executed shall reserve to the council of the City of Pittsburg the right and privilege, by ordinance, to annul, change or modify such leases as in its judgment may seem proper subject to the terms and conditions therefor contained in such leases, respectively.

SEC. 5. The State hereby reserves unto itself at all times, the reasonable use of and access to all wharves, docks, piers, slips and quays hereafter constructed under the provisions of this act, for any vessel owned, leased or operated by the State. There is hereby reserved in the people of the State of California the absolute right to fish in the waters of said harbor, with the right of convenient access to said waters over said lands for said purposes.

There is excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said lands.

This grant is made subject to the rights of any and all persons under any title derived from the State of California in or to any part of said lands.

SEC. 6. The lands herein described are granted subject to the express reservation and condition that the State may at any time in the future use said lands or any portion thereof for any authorized public

use without compensation to the city, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements have been placed upon the property taken by the State for public use, compensation shall be made to the person entitled thereto for the value of his interest in the improvements taken or the damages to such interest.

SEC. 7. The City of Pittsburg shall in the name of the State of California have and is hereby granted the power and authority to maintain and prosecute to final judgment in any court of the State or United States in which jurisdiction may be vested any and all actions necessary to recover possession, from any private persons, partnerships or corporations all or any part of the lands granted herein.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF PITTSBURG

CITY OF PITTSBURG
PITTSBURG, CALIFORNIA

QUESTIONNAIRE REGARDING TIDELANDS AND SUBMERGED LANDS GRANTED BY THE STATE

1. Which officer or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the State? City Council.

2. What action has been or is being taken for the development and improvement of the granted lands? No action (no money).

3. Have public funds been expended for such purposes, and, if so, approximately in what amount? Fifty thousand dollars.

4. What improvements have been made pursuant to franchises or leases and what is the approximate value thereof? Buildings and wharfs, $75,000.

5. What franchises or leases of such lands are currently in effect? Twenty-two leases.

6. What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which such revenues are used? Approximately $3.138.

7. To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations? Ninety percent.

8. Has your local agency been divested of title or right to possession of any of the granted lands by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise? No.

9. Have any judicial proceedings been commenced against your local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment. No.

ANALYSIS OF THE REPLY OF THE CITY OF PITTSBURG

The reply of the City of Pittsburg is interesting, in that it states that while no action has been taken for the development and improvement of the granted land, $50,000 in public funds have nevertheless been expended for that purpose. Improvements made pursuant to 22 leases are reported to be of the approximate value of $75,000, from which the

city derives an annual income slightly in excess of $3,100. No statement is made of the purposes for which those revenues are expended. The astounding total of 90 percent of the granted land was reported to be used or occupied by individuals or corporations.

Conclusion. The committee should conduct an immediate and extensive investigation into the matter of the development and improvement of the granted land, both by public expenditures and by lessees, and the purposes for which revenues from the granted lands are applied. By obtaining complete and detailed information and data in these particulars, the committee will be able adequately to report to the Assembly on the advisability of reacquisition of the granted lands by the State of California.

CITY OF REDONDO BEACH

ASSEMBLY BILL No. 1505

CHAPTER 57

An act granting certain tidelands and submerged lands of the State of California to the City of Redondo Beach upon certain trusts and conditions.

[Approved April 12, 1915]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Redondo Beach, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all the tidelands and submerged lands, within the present boundaries of said city, and situated below the line of mean high tide of the Pacific Ocean, to be forever held by said city, and by its successors, in trust for the uses and purposes, and upon the express conditions following, to wit:

(a) Said lands shall be used by said city and by its successors, solely for the establishment, improvement and conduct of a harbor and for the establishment and construction of bulkheads or breakwaters for the protection of lands within its boundaries, or for the protection of its harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion or accommodation of commerce and navigation, and the protection of the lands within said city, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatsoever; provided, that said city, or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof for limited periods, for purposes consistent with the trusts upon which said lands are held by the State of California and with the requirements of commerce or navigation at said harbor;

(b) Said harbor shall be improved by said city without expense to the State, and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips,

quays and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California;

(c) In the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls, or charges, or in facilities, for any use or service in connection therewith shall ever be made, authorized or permitted by said city or by its successors. The absolute right to fish in the waters of said harbor, with the right of convenient access to said waters over said lands for said purpose, is hereby reserved to the people of the State of California.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF REDONDO BEACH

OFFICE OF CITY MANAGER

TELEPHONE FRONTIER 2 9793

CITY OF REDONDO BEACH
CALIFORNIA

March 27, 1951

HONORABLE G. DELBERT MORRIS, *Chairman*,
Interim Committee on Petroleum Problems,
State Capitol, Sacramento, California

DEAR SIR: Your communication of February 19, 1951, has been forwarded to me for reply. May I express my regrets in that your original communication has not been answered. However, it is not surprising considering several changes that have been made in the administration during the last year in the City of Redondo Beach.

I am assuming that the questions are directed towards the utilization of tideland and submerged lands for the purpose of petroleum development and the answers thereto are in that light.

In reply to question No. 1, the city manager is charged with the duties of administering all city business and such other affairs as may be related thereto. The answers to the succeeding eight questions are all in the negative To the best of my knowledge, no attempt has been made to develop the tidelands off Redondo Beach nor is there existing any options or court actions relative to the probable development of such submerged areas.

Trusting this reply will meet with the requirements of your communication, I remain,

Very truly yours,

G. W. COFFEY
City Manager

ANALYSIS OF THE REPLY OF THE CITY OF REDONDO BEACH

The reply of the City of Redondo Beach to the questionnaire of the committee is self-explanatory. In view of the admission that no action has been taken or is contemplated to develop or improve the granted lands, there is a complete lack of compliance with the intents, purposes, and conditions of the statute of grant of 1915, Chapter 57.

Conclusion The recommendation of the committee with respect to the tidelands and submerged lands granted to the City of Redondo Beach is contained in the recommendations of the committee set forth at the conclusion of this report.

CITY OF SAN BUENAVENTURA

ASSEMBLY BILL No. 65

CHAPTER 213

An act granting certain tide and submerged lands of the State of California to the City of San Buenaventura, upon certain trusts and conditions.

[Approved by the Governor May 27, A. D. 1935]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of San Buenaventura, a municipal corporation in the County of Ventura, State of California, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all the tidelands and submerged lands (whether filled or unfilled) situated below the line of mean high tide of the Pacific Ocean and lying between the prolongation of the west boundary line of the City of San Buenaventura into the said Pacific Ocean and the prolongation of the east boundary line of the said City of San Buenaventura into the Pacific Ocean, to be forever held by said city, and by its successors, in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands may be used by said city for the establishment, improvement and conduct of its harbor and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion of commerce and navigation and fisheries and for the establishment and maintenance of bath houses and bathing facilities, and for such other recreational facilities necessary or convenient for the inhabitants of said city; but said uses shall not be deemed to deprive the City of San Buenaventura of the rights granted to it by Article XVIII of its charter, to appoint harbor commissioners, to create or be a part of a harbor district, and to take any and all other steps that it may from time to time deem advisable for the improvement and maintenance of its waterfront and harbor and for the development and conduct of port facilities and commerce; and said city may, in pursuance of the provisions of said Article XVIII of the said charter, lease any portion of the waterfront for public recreational purposes for a term of not exceeding 10 years, and a lease may be made for such other purposes or for a longer period if such lease be submitted to the electors and approved by a vote of two-thirds of those voting thereon, if the purposes of the lease are consistent with the trust upon which said lands are held by the State of

California and with the requirements of commerce and navigation of said harbor;

(b) That said harbor shall be improved by said city without expense to the State of California, and it shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have at all times the right to use without charge all wharves, docks, piers, slips, quays and other improvements constructed on said land or any part thereof for any vessel or other water craft, or any railroad, owned and operated by the State of California;

(c) That in the management, conduct or operation of said harbor or any of the utilities, structures or appliances mentioned in paragraph (a) no discrimination in rates, tolls or charges in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city;

(d) That there is reserved for the people of the State of California the absolute right to fish in the waters of said harbor, with the right of convenient access to said waters over said lands for said purpose;

(e) That the said city shall not, upon said land, prospect for, nor remove therefrom, any oil, gas or other hydrocarbon substances, nor shall it suffer or permit the removal of same.

(f) That in the event drilling for oil, gas, or other hydrocarbon substances, shall take place upon land other than that herein granted, and so located that like drilling shall be reasonably requisite for the proper protection of the land hereby granted from drainage by such wells, then the State of California, for itself and for all persons authorized by it, expressly reserves the right to enter upon the said land for the purpose of drilling thereon such well or wells as shall be reasonably requisite for the proper protection of said land from drainage, and may produce and save oil, gas, or other hydrocarbon substances, from such well or wells, free from any claim of the said city.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF SAN BUENAVENTURA

CITY OF SAN BUENAVENTURA
VENTURA COUNTY--CALIFORNIA
P O BOX 99
VENTURA, CALIFORNIA

COUNCILMEN
EDWIN LEE GARDNER II MAYOR
HAL V HAMMONS JR
KARL L HELLING
IDAH W ILIFF
L H LARSON
ERNEST J PATE
CHARLES W PETIT

LAWRENCE E OLSON
CITY MANAGER

DONALD D ROFF
CITY ATTORNEY

GRACE WOODRUFF
CONTROLLER CLERK

March 2, 1951

ASSEMBLYMAN G. DELBERT MORRIS
Chairman, Interim Committee on Petroleum Problems
State Capitol, Sacramento 14, California

DEAR ASSEMBLYMAN MORRIS: At the request of Mayor Gardner I am enclosing herewith answer to the questionnaire which was forwarded to him on February 19, 1951, in connection with the Assembly Interim Committee on Petroleum Problems.

Very truly yours,

LAWRENCE E. OLSON
City Manager

QUESTIONNAIRE REGARDING TIDELANDS AND SUBMERGED LANDS GRANTED BY THE STATE

1 What officer or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the State?
Answer: No improvements belonging to city, and no one charged with any duty.

2 What action has been or is being taken for the development and improvement of the granted lands?
Answer: Have granted waterfront to State under control of Park Commission, State Division of Beaches and Parks, Department of Natural Resources

3 Have public funds been expended for such purposes, and if so, approximately in what amount?
Answer: Wharf valued at $75,000 granted to State by city.

4 What improvements have been made pursuant to franchises or leases and what is the approximate value thereof?
Answer: None.

5. What franchises or leases of such lands are currently in effect?
Answer: None

6 What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which such revenues are used?
Answer: None.

7. To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations?
Answer: Wharf operated by State Park Commission, two submerged pipe lines used by oil companies

8. Has the local agency been divested of title or right to possession of any of the granted lands by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise?
Answer: Yes—granted to State.

9 Have any judicial proceedings been commenced against the local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment.
Answer: None.

ANALYSIS OF THE REPLY OF THE CITY OF SAN BUENAVENTURA

The reply of the City of San Buenaventura is largely self-explanatory. The answers, however, are insufficient in describing the nature of the conveyance to the State of California and the operation of certain facilities on granted lands by the State Park Commission In this regard the observation in the analysis to the reply of the City of Los Angeles, relating to continuing effect of conditions contained in grants to political subdivisions where such subdivisions subsequently convey such granted lands to an authorized agency of the State of California, is pertinent here.

Conclusion. The reply of the City of San Buenaventura is unsatisfactory, and further investigation by the committee is required, in the following particulars: Nature of the conveyance of granted lands to the State of California, and operation on such lands of certain facilities by the State Park Commission.

CITY OF SAN DIEGO

CHAPTER 700

An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

[Approved May 1, 1911]

The people of the State of California, represented in Senate and Assembly, do enact as follows:

WHEREAS, Since the admission of California into the Union, all tidelands along the navigable waters of this State and all lands lying beneath the navigable waters of the State have been and now are held in trust by the State for the benefit of all the inhabitants thereof for the purposes of navigation, commerce and fishing, and

WHEREAS, It is the duty of the State to govern, administer and control such lands and to improve and develop navigation, commerce and fishing thereon and thereover, and

WHEREAS, The State has not the general power of alienation of such lands but may, when the interests of commerce, navigation and fishing require it, convey to municipalities limited and defined areas of such lands with the power to govern, control, improve and develop the same in the interests of all the inhabitants of the State, and

WHEREAS, The conveyance to the City of San Diego of the lands hereinafter described, together with the right to govern, control, improve and develop the same will result in great advantage and benefit to all the inhabitants of the State, it is provided:

SECTION 1. There is hereby granted and conveyed to the City of San Diego, in the County of San Diego, State of California, all of the lands situate on the City of San Diego, side of said bay, lying and being between the line of mean high tide and the pier head line in said bay, as the same has been or may hereafter be established by the Federal Government, and between the prolongation into the Bay of San Diego to the pier head line of the boundary line between the City of San Diego and National City, and the prolongation into the Bay of San Diego to the pier head line of the northerly line of the United States Military Reservation on Point Loma.

SEC. 2. The City of San Diego shall have and there is hereby granted to it the right to make upon said premises all improvements, betterments and structures of every kind and character, proper, needful and useful for the development of commerce, navigation and fishing, including the construction of all wharves, docks, piers, slips, and the construction and operation of a municipal belt line railroad in connection with said dock system.

SEC. 3. No grant, conveyance or transfer of any character shall ever be made by the City of San Diego of the lands described in paragraph one, or of any part thereof, but the said city shall continue to hold said lands and the whole thereof unless the same revert or be receded to the State of California. The Harbor of San Diego shall remain always a public harbor and the said city shall never charge or permit to be

charged on any of the premises by this act conveyed any unreasonable rate or toll, nor make nor suffer to be made any unreasonable charge, burden or discrimination. In the event of a violation of any of the provisions of this act the said lands and the whole thereof shall revert to the State of California.

SEC. 4 The City of San Diego may lease for a term not exceeding 15 years any wharves, docks or piers constructed by it, and all such leases so executed shall reserve to the common council of the City of San Diego the right and privilege, by ordinance to annul, change or modify such leases as in its judgment may seem proper The aggregate amount of all wharves, docks and piers so leased by said city shall never exceed 75 percent of all of the wharves, docks and piers actually constructed.

SEC. 5. The City of San Diego may lease not to exceed an aggregate of 75 percent of the lands conveyed to it by this act, for a term not to exceed 25 years and upon which wharves, docks or piers have not been actually constructed and no such lease shall be for a larger area than 40 acres, and such leases shall not be assignable or transferable, nor shall any lessee have the right to sublet the leased premises or any part thereof and all such leases so executed shall reserve to the common council of the City of San Diego the right and privilege, by ordinance to annul, change or modify such leases as in its judgment may seem proper.

SEC. 6 The foregoing conveyance is made upon the condition that the City of San Diego shall, within 12 months from the approval of this act, exclusive of such time as said city may be restrained from so doing by injunction issued out of any court of this State or of the United States, and exclusive of such further delay as may be caused by unavoidable misfortune or great public or municipal calamity, issue its bonds for harbor improvement purposes in an amount of not less than $1,000,000, and shall, within 18 months after the approval of this act, exclusive of the time in this section hereinbefore mentioned, commence the work of such harbor improvement, and the said work and improvement shall be prosecuted with such diligence that not less than $1,000,000 shall be expended thereon within three years from the approval of this act exclusive of the time in this section hereinbefore mentioned The said harbor improvement work shall be so done and performed that accommodation will be furnished and maintained for ocean-going vessels of the largest class, and a depth of water shall be obtained and maintained at the piers of not less than 35 feet.

If said bonds be not issued or said work be not prosecuted and completed as and in the manner herein provided, then the lands by this act conveyed to the City of San Diego shall revert to the State of California.

SEC. 7. The State hereby reserves unto itself at all times, the reasonable use of and access to all wharves, docks, piers, slips and quays hereafter constructed under the provisions of this act, for any vessel or water craft owned, leased or operated by the State.

SEC. 8. This act shall take effect immediately.

CHAPTER 77

An act to amend Section 6 of an act of the Legislature of the State of California, conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, approved May 1, 1911.

[Approved April 23, 1913]

The people of the State of California do enact as follows:

SECTION 1. Section 6 of an act of the Legislature of the State of California, entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911, is hereby amended to read as follows:

Sec 6. The foregoing conveyance is made upon the condition that the City of San Diego shall, within 12 months from the approval of this act, exclusive of such time as said city may be restrained from so doing by injunction issued out of any court of this State or of the United States, and exclusive of such further delay as may be caused by unavoidable misfortune or great public or municipal calamity, issue its bonds for harbor improvement purposes in an amount of not less than $1,000,000, and shall, within 18 months after the approval of this act, exclusive of the time in this section hereinbefore mentioned, commence the work of such harbor improvement, and the said work and improvement shall be prosecuted with such diligence that not less than $1,000,000 shall be expended thereon within four years from the approval of this act exclusive of the time in this section hereinbefore mentioned. The said harbor improvement work shall be so done and performed that accommodation will be furnished and maintained for ocean going vessels of the largest class, and a depth of water shall be obtained and maintained at the piers of not less than 35 feet. If said bonds be not issued or said work be not prosecuted and completed as and in the manner herein provided, then the lands by this act conveyed to the City of San Diego shall revert to the State of California.

SENATE BILL No. 1230

CHAPTER 676

An act to amend Sections 4, 5 and 6 of an act, entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911.

[Approved June 10, 1915]

The people of the State of California do enact as follows:

SECTION 1. Section 4 of an act of the Legislature of the State of California, entitled, "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries.

and providing for the government, management and control thereof" approved May 1, 1911, is hereby amended to read as follows:

Sec. 4. The City of San Diego may lease for a term not exceeding 15 years any wharves, docks, piers, or bulkhead piers constructed by it, and may grant franchises or privileges for wharves, docks, piers or bulkhead piers to be erected by others than said city for a term not exceeding 15 years, except as otherwise hereinafter provided in Section 5, and all such leases, franchises or privileges shall be authorized by ordinance of said city and shall reserve to the common council and the people of the City of San Diego the right and privilege by ordinance of said city to annul, change or modify such leases, franchises and privileges as in their judgment may seem proper upon paying said lessee or holder of said franchise or privilege reasonable compensation for damages occasioned by such modifications, amendments, or repeal. The aggregate amount of all wharves, docks, piers, or bulkhead piers, leased by said city after construction by it shall never exceed 75 percent of all the wharves, docks, piers or bulkhead piers actually constructed by it.

SEC. 2 Section 5 of said above entitled act is hereby amended to read as follows:

Sec. 5 The City of San Diego may lease lands granted and conveyed to it by this act under the following restrictions and conditions:

(a) All that portion of the said lands lying on the shores of the Bay of San Diego, between a prolongation into the Bay of San Diego of the south line of Laurel Street and the prolongation into the Bay of San Diego of the northerly line of the United States military reservation on Point Loma, and also that portion of said lands lying between a prolongation into the Bay of San Diego of the easterly line of Twenty-eighth Street, and a prolongation into the Bay of San Diego, of the boundary line between the City of San Diego and the City of National City, which shall not have been developed or improved by the City of San Diego at the date of such leasing may be leased by the said city in such areas as, in the judgment of the common council of said City of San Diego, may seem proper, and for a term not to exceed 50 years; provided, however, that said city may have the right to renew such lease or leases for a further term not exceeding 25 years or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases. Every such lease shall provide for the payment of rentals to the City of San Diego, which said rentals shall be either an agreed percent of the gross earnings derived from the leased lands, or shall be fixed upon a basis of the valuation of such lands In the event that the rental is an agreed percent of the gross earnings, the lease shall provide a method for ascertaining and determining from time to time during the term, such gross earnings. In the event that the rentals shall, by any such lease, be provided to be fixed upon the basis of the valuation of the leased lands, then in such event the lease shall provide a method for ascertaining at stated periods during the term the reasonable value of the leased lands, and in all cases in which the rental is provided to be fixed upon the basis of the valuation of the leased lands, then in such event the lease shall provide a method for ascertaining at stated periods during the term, the reasonable value of the leased lands, and in all cases in which the rental is provided to be fixed upon the

basis of the value of the leased lands, the lease shall provide for the payment of a certain percent of such value ascertained in the manner provided by the lease, and such percent shall be the rental to be paid until a different valuation is fixed; provided, however, that there shall be no revaluation of any leased lands for the purpose of fixing the rentals oftener than once every 10 years. Said leases shall also provide that at no time during their terms shall the said City of San Diego be required to make any improvements on or for the benefit of the leased lands. The lessees named in such leases shall have the right to sublet the said lands, or any part thereof, which sub-leases shall be subject to the same conditions and restrictions as the original and each lease executed by the city shall contain provisions to this effect. The said City of San Diego may grant wharf franchises for wharves adjoining and extending into the bay from the above mentioned territory for terms, not to exceed in duration the terms of the leases on the adjacent lands, and the right to regulate and control the waters of the harbor adjacent to said leased land and to fix reasonable rates and tolls for the use of such wharves and docks abutting or adjoining such leased lands, shall be reserved to the City of San Diego and the State of California. Said lease or leases shall provide that a sum of money be expended upon the improvement of said lands by the said lessee or lessees within a reasonable time and said lease or leases shall contain provisions fixing the amount of money to be so expended and the time within which it shall be spent. The city may place such further restrictions or conditions in such leases and franchises when granted as do not conflict with the terms of this act and all grants of leases or franchises shall be authorized by ordinance.

(b) All the remaining portions of the said lands may be leased for a term not to exceed 25 years with a right reserved to the city to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases at the expiration of said term or to renew such lease for a further term not to exceed 25 years, and no such lease shall be for a larger area than 40 acres, and such leases shall not be assignable or transferable nor shall any lessee have the right to sublet the leased premises or any part thereof, without the consent of the common council by ordinance duly adopted, and all such leases so executed shall reserve to the common council and the people of the City of San Diego the right and privilege by ordinance to annul, change, or modify such leases as in their judgment may seem proper upon paying to said lessee reasonable compensation for damages occasioned by such annulment, change or modification.

(c) The City of San Diego shall reserve over the lands mentioned in Sections (a) and (b) a continuous right of way for a municipal belt line of railway tracks which right of way shall be not less than 100 feet in width and shall be so located as to practically parallel the United States bulkhead line, and no lease, franchise or privilige shall be granted upon any of the lands mentioned in said Sections (a) and (b) that will in any way interfere with said right of way unless there be reserved in said lease, franchise or privilege to the city a right of way for said railroad of not less than 100 feet in width.

SEC. 3. Section 6 of said above entitled act is hereby amended to read as follows:

Sec. 6. The foregoing conveyance is made upon the condition that the City of San Diego, shall, within 12 months from the approval of this act, exclusive of such time as said city may be restrained from so doing by injunction issued out of any court of this State or of the United States, and exclusive of such further delay as may be caused by unavoidable misfortune or great public or municipal calamity, issue its bonds for harbor improvement purposes in an amount of not less than $1,000,000, and shall within 18 months after the approval of this act, exclusive of the time in this section hereinbefore mentioned, commence the work of such harbor improvement, and the said work and improvement shall be prosecuted with such diligence that not less than $1,000,000 shall be expended thereon within five years from the original approval of this act exclusive of the time in this section hereinbefore mentioned. The said harbor improvement work shall be so done and performed that accommodation will be furnished and maintained for ocean going vessels of the largest class, and a depth of water shall be obtained and maintained at the piers of not less than 35 feet If said bonds be not issued or said work be not prosecuted and completed as and in the manner herein provided, then the lands by this act conveyed to the City of San Diego shall revert to the State of California.

ASSEMBLY BILL No. 1460

CHAPTER 598

An act to amend Section 5 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911, as amended.

[Approved May 24, 1917]

The people of the State of California do enact as follows:

SECTION 1. Section 5 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911, as amended, is hereby amended to read as follows:

Sec. 5. The City of San Diego may lease lands granted and conveyed to it by this act under the following restrictions and conditions:

(a) All that portion of the said lands lying on the shores of the Bay of San Diego, between a prolongation into the Bay of San Diego of the south line of Laurel Street and the prolongation into the Bay of San Diego of the northerly line of the United States military reservation on Point Loma, and also that portion of said lands lying between a prolongation into the Bay of San Diego of the easterly line of 28th Street, and a prolongation into the Bay of San Diego, of the boundary line between the City of San Diego and the City of National City, which shall not have been developed or improved by the City of San Diego at the date of such leasing may be leased by the said city in such areas as, in

the judgment of the common council of said City of San Diego, may seem proper, and for a term not to exceed 50 years; provided, however, that said city may have the right to renew such lease or leases for a further term not exceeding 25 years or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases. Every such lease shall provide for the payment of rentals to the City of San Diego, which said rentals shall be either an agreed percent of the gross earnings derived from the leased lands, or shall be fixed upon a basis of the valuation of such lands. In the event that the rental is an agreed percent of the gross earnings, the lease shall provide a method for ascertaining and determining from time to time during the term, such gross earnings. In the event that the rentals shall, by any such lease, be provided to be fixed upon the basis of the valuation of the leased lands, then in such event the lease shall provide a method for ascertaining at stated periods during the term, the reasonable value of the leased lands, and in all cases in which the rental is provided to be fixed upon the basis of the valuation of the leased lands, then in such event the lease shall provide a method for ascertaining at stated periods during the term, the reasonable value of the leased lands, and in all cases in which the rental is provided to be fixed upon the basis of the value of the leased lands, the lease shall provide for the payment of a certain percent of such value ascertained in the manner provided by the lease, and such percent shall be the rental to be paid until a different valuation is fixed; provided, however, that there shall be no revaluation of any leased lands for the purpose of fixing the rentals oftener than once every 10 years. Said leases shall also provide that at no time during their terms shall the said City of San Diego be required to make any improvements on or for the benefit of the leased lands. The lessees named in such leases shall have the right to sublet the said lands, or any part thereof, which subleases shall be subject to the same conditions and restrictions as the original and each lease executed by the city shall contain provisions to this effect. The said City of San Diego may grant wharf franchises for wharves adjoining and extending into the bay from the above mentioned territory for terms, not to exceed in duration the terms of the leases on the adjacent lands, and the right to regulate and control the waters of the harbor adjacent to said leased land and to fix reasonable rates and tolls for the use of such wharves and docks abutting or adjoining such leased lands, shall be reserved to the City of San Diego and the State of California. Said lease or leases shall provide that a sum of money be expended upon the improvement of said lands by the said lessee or lessees within a reasonable time and said lease or leases shall contain provisions fixing the amount of money to be so expended and the time within which it shall be spent. The city may place such further restrictions or conditions in such leases and franchises when granted as do not conflict with the terms of this act and all grants of leases or franchises shall be authorized by ordinance.

(b) All the remaining portions of said lands may be leased for a term not to exceed 50 years, and no such lease shall be for a larger area than for 40 acres, and such lease shall not be assignable or transferable nor shall any lessee have the right to sublet the leased premises or any part thereof without the consent of the common council by ordinance

duly adopted; provided, however, that every lease so executed shall reserve to the common council and to the people of San Diego the right and privilege by ordinance duly adopted to terminate, change or modify such lease or leases on such terms, reservations and conditions as may be stipulated in such lease or leases.

(c) The City of San Diego shall reserve over the lands mentioned in subsections (a) and (b) a continuous right of way for a municipal belt line of railway tracks, which right of way shall be not less than 100 feet in width and shall be so located as to practically parallel the United States bulkhead line, and no lease, franchise or privilege, shall be granted upon any of the lands mentioned in said subsections (a) and (b) that will in any way interfere with said right of way unless there be reserved in said lease, franchise or privilege to the city a right of way for said railroad of not less than 100 feet in width.

CHAPTER 50

An act to amend Sections 4 and 5 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters, situate in the Bay of San Diego to the City of National City, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved April 27, 1923.

[Approved by the Governor April 7, 1925]

The people of the State of California do enact as follows:

SECTION 1. Section 4 of the act entitled "An act conveying certain tidelands and lands lying under inland navigable waters, situate in the Bay of San Diego to the City of National City, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved April 27, 1923, is hereby amended to read as follows:

Sec. 4. The City of National City may lease for a term not exceeding 50 years any wharves, docks or piers constructed by it, and all such leases so executed shall reserve to the board of trustees of the City of National City, the right and privilege, by ordinance, to annul, change or modify such leases upon the violation of any of the provisions thereof by the lessees as in its judgment may seem proper. The aggregate amount of all wharves, docks and piers so leased by said city shall never exceed 75 percent of all the wharves, docks and piers actually constructed.

SEC. 2. Section 5 of said act approved April 27, 1923, is hereby amended to read as follows:

Sec. 5. The City of National City may lease not to exceed an aggregate of 75 percent of the lands conveyed to it by this act, for a term not to exceed 50 years and upon which wharves, docks or piers have not been actually constructed, and, except by consent of the board of trustees of the City of National City under an ordinance of such board duly adopted, such leases shall not be assignable or transferable, nor shall any lessee have the right to sublet the leased premises or any part thereof without such consent.

When wharves, docks or piers have not actually been constructed, provided that where any of said lands are now leased for a period of less than 50 years, the City of National City may extend or renew the same

or make new leases thereon, except that the term of such extension, renewal or new lease shall be not to exceed 50 years from the date of such extension or new lease.

SENATE BILL No. 160

CHAPTER 681

An act to amend Section 1 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of Coronado in furtherance of navigation, commerce and fisheries and providing for the government, management and control thereof," approved April 27, 1923.

[Approved by the Governor June 4, 1929]

The people of the State of California do enact as follows:

SECTION 1 Section 1 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of Coronado in furtherance of navigation, commerce and fisheries and providing for the government, management and control thereof," approved April 27, 1923, is hereby amended to read as follows:

Section 1 There is hereby granted and conveyed to the City of Coronado, a municipal corporation in the County of San Diego, State of California, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all the tidelands and submerged lands (whether filled or unfilled), within the present boundaries of said city and situated upon the Coronado side of the Bay of San Diego, in the County of San Diego, State of California, lying between the line of mean high tide and the pierhead line in said bay, as the same has been or may hereafter be established by the Federal Government, and between the prolongation of the easterly boundary line of the City of Coronado into Glorietta Bay, a portion of the said San Diego Bay, and the prolongation of the westerly boundary line of the City of Coronado into Spanish bight, a portion of said San Diego Bay; to be forever held by said City of Coronado in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands shall be used by said city for the establishment, improvement and conduct of the harbor, and for the construction, maintenance and operation thereon of wharves, docks, pier, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion of commerce, navigation and fisheries, and for the establishment and maintenance of bath houses and bathing facilities and boat houses necessary or convenient for the inhabitants of said city and said city shall not at any time grant, convey, give or alien said lands or any part thereof to any individual, firm or corporation for any purpose whatsoever; provided, however, that said City of Coronado may grant franchises thereon for wharves, docks, piers, slips, quays, bath houses and bathing facilities, boat houses and any other public uses and purposes, and may lease said lands or any part thereof for any of said uses or purposes hereinabove enumerated, for any purposes consistent with the trust upon which said lands are held by the State of California, and with the requirements of commerce or navigation of said harbor, to person, firms or corporations for a period not exceeding 50 years; provided,

however, that said city may have the right to renew such lease or leases for the further term not exceeding 25 years, or to terminate the same upon such terms, reservations and conditions as may be stipulated in such lease or leases.

Every such lease shall provide for the payment of rentals to the City of Coronado, which said rentals shall either be at an agreed figure, or shall be arrived at in such manner as may be mutually agreed upon, and provided for in said lease or leases.

Said leases shall also provide that at no time during their term, shall the said City of Coronado be required to make any improvements on or for the benefit of the leased lands Every lease so executed shall reserve to the board of trustees and to the people of the City of Coronado, the right and privilege by ordinance duly adopted, to terminate, change or modify such lease or leases on such terms, reservations and conditions as may be stipulated in such lease or leases.

(b) That said harbor shall be improved by said city without expense to the State of California, and it shall always remain a public harbor for all purposes of commerce, navigation, and the State of California shall have at all times the right to use without charge all wharves, docks, piers, slips, quays and other improvements constructed on said land or any part thereof for any vessel or other water craft or railroad, owned and operated by the State of California.

(c) That in the management, conduct or operation of said harbor or of any of the utilities, structures or appliances mentioned in paragraph (a) no discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city.

Reserving, however, for the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands for said purpose.

ASSEMBLY BILL No. 1059

CHAPTER 778

An act declaring portions of the lands conveyed to the City of San Diego by an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911, as amended, unavailable for navigation, commerce and fisheries and excluding such portions from use for navigation, commerce and fisheries, and granting such portions of said tidelands to the City of San Diego and County of San Diego.

[Approved by the Governor, June 11, 1929]

The people of the State of California do enact as follows:

SECTION 1. That a portion of the land heretofore granted to the City of San Diego by an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911, as amended, has heretofore

been improved by adapting the same to use for navigation, and that in so adapting such portion of said land to said use, the said City of San Diego filled in such portion of said land as lies between the line of mean high tide and the seawall erected along the bulkhead line established by the United States Government, and the following area shown on the map of the municipal tidelands subdivision tract number one, filed in the office of the City Clerk of the City of San Diego, the eighteenth day of May, 1916, and particularly bounded and described as follows:

Beginning at the point of intersection of the westerly prolongation of the northerly line of Ash Street with the westerly line of Atlantic Street; thence westerly along the westerly prolongation of the northerly line of Ash Street to an intersection with the easterly line of Harbor Street; thence northerly along the easterly line of Harbor Street to an intersection with the southwesterly prolongation of the southeasterly line of Grape Street; thence northeasterly along the southwesterly prolongation of the southeasterly line of Grape Street and the southeasterly line of Grape Street to an intersection with the southwesterly line of Atlantic Street; thence southerly along the westerly line of Atlantic Street to the point of beginning, is a portion of said filled land, and said portion was by said improvement and adaptation cut off from access to navigable waters, and is not longer required for navigation, commerce or the fisheries.

SEC. 2. That the said lands comprising the said above described area are hereby declared to be free from the public use for navigation, commerce and the fisheries.

SEC. 3 Said lands comprising said above described area are hereby granted and conveyed to the County of San Diego and the City of San Diego, as joint owners, to be used only for county and municipal purposes, including the erection and maintenance thereon of county and municipal buildings. This conveyance is made by the State to said county and city in consideration of the public use to be made of said lands by said city and county and the payment to the State of California of the sum of $1,000 Should said sum not be paid within five years from the taking effect of this act or if said land shall be used by said city and county for any other use than that herein authorized, this conveyance shall be ineffectual and the provisions of this act shall be inoperative.

ASSEMBLY BILL No. 840

CHAPTER 820

An act conveying certain tidelands, situate in the Bay of San Diego, to the City of San Diego, upon certain trusts therein specified.

[Approved by the Governor, June 15, 1929]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted and conveyed to the City of San Diego all that land situated in the State of California, County of San Diego, City of San Diego, bounded and described as follows:

Beginning at a point where the west line of Twenty-eighth Street extended southerly intersects the mean high-tide line of the Bay of San Diego, California, which point is south no degrees thirty-one minutes east one hundred thirty (130.0) feet from the southwest corner of

Twenty-eighth and Colton Streets; thence south sixteen degrees no minutes west five hundred twenty-four (524) feet; thence north seventy-four degrees no minutes west one hundred forty (140) feet; thence south sixteen degrees no minutes west two hundred sixty (260) feet; thence south seventy-four degrees no minutes east one hundred forty (140) feet; thence south sixteen degrees no minutes west four hundred eighty-eight and four-tenths (488.4) feet to a point on the United States bulkhead line of the bay of San Diego, California; thence south fifty-six degrees fifty-one minutes east two hundred nine and twenty-six one-hundredths (209.26) feet along said bulkhead line to a point north fifty-six degrees fifty-one minutes west eighty-four and nine-tenths (84.9) feet from station one hundred eleven (111) on the said bulkhead line, thence north sixteen degrees no minutes east one thousand three hundred eight and seven-tenths (1308.7) feet to an intersection with the mean high-tide line of the Bay of San Diego, California; thence along said mean high tide north sixty-six degrees forty-four minutes west two hundred one and six-tenths (201.6) feet to the point of beginning.

SEC. 2. The tidelands in this act described and conveyed, shall be held by the City of San Diego, subject to all the provisions of the act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situated in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911, as amended, which act conveyed the tidelands, herein described and conveyed, to the City of San Diego, along with other tidelands of San Diego Bay; said herein described and conveyed lands having been reconveyed by the City of San Diego to the State of California subsequently to May 1, 1911.

SENATE BILL No. 422

CHAPTER 937

An act granting certain tide and submerged lands of the State of California to the City of San Diego, San Diego County, in said State, upon certain trusts and conditions.

[Approved by the Governor June 15, 1931]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of San Diego, County of San Diego, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all that portion of the tide and submerged lands bordering upon and situated below the ordinary high water mark of the Pacific Ocean described as follows:

Beginning at the intersection of the ordinary high water mark of the Pacific Ocean with a line bearing S. 87° 40′ W. from the monument marking the intersection of Coast Boulevard south with Jenner Street as said monument, said Coast Boulevard south and said Jenner Street are designated and shown on that certain map entitled "Seaside subdivision number 1712" and filed June 23, 1920, in the office of the county recorder of San Diego County, State of California; thence N. 350′, thence E. 300′, thence S. 185′ more or less to the ordinary high water mark of the Pacific Ocean, thence in a general southwesterly direction along the ordinary

high water mark of the Pacific Ocean to the point of beginning, all in the Pacific Ocean, State of California, to be forever held by said City of San Diego and its successors in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands shall be devoted exclusively to public park, bathing pool for children, parkway, highway, playground and recreational purposes, and to such other uses as may be incident to, or convenient for the full enjoyment of, such purposes;

(b) The absolute right to fish in the waters of the Pacific Ocean over said tidelands or submerged lands, with the right of convenient access to said waters over said lands for said purpose is hereby reserved to the people of the State of California.

(c) That there is excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said land, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine and remove such deposits from said land.

ASSEMBLY BILL No. 2367

CHAPTER 688

An act granting certain tidelands and submerged lands of the State of California to the City of San Diego upon certain trusts and conditions.

[Approved by the Governor June 5, A D 1933]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of San Diego, a municipal corporation of the State of California, and to its successors, all of the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all tidelands and submerged lands, whether filled or unfilled, within the present boundaries of said city, not already granted to said city or to the United States Government, or to the County of San Diego, in said State, and situated below the line of mean high tide of the Pacific Ocean, which border upon and are in front of the upland now within the boundaries of said city, to be forever held by said city, and by its successors. Nothing in this act shall be deemed or construed to grant any of the tidelands of Mission Bay or of its entrance, or to in any way affect the act of June 15, 1929, providing for a state park on Mission Bay.

(a) Said lands shall be used by said city and by its successors solely for the establishment, improvement and conduct of harbors and for the establishment and construction of bulkheads or breakwaters for the protection of lands within its boundaries, or for the protection of its harbors, and for the construction, maintenance and operation thereon of wharves, structures and appliances necessary or convenient for the protection or accommodation of commerce, navigation and fisheries, and for the establishment and maintenance of playgrounds, bathhouses, recreation piers and facilities necessary or convenient for the inhabitants of said city; and said city or its successors shall not at any time grant, convey, give or alien said lands or any part thereof to any individual, firm or corporation for any purpose whatsoever; provided, that said city or its successors may grant franchises thereon for limited periods, but in no

event exceeding 50 years, for wharves and other public uses and purposes, and may lease said lands or any part thereof for limited periods, but in no event exceeding 50 years, for purposes consistent with the trust upon which said lands are held by the State of California and with the requirements of commerce, navigation or fisheries.

(b) That said harbors and tidelands shall be improved by said city without expense to the State and shall always remain public harbors and public tidelands for all purposes of commerce, navigation and fisheries; and the State of California shall have at all times the right to use without charge all wharves, docks, piers and other improvements constructed on said lands or any part thereof for any vessel or other water craft or railroad owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbors and tidelands or of any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

(d) There is hereby reserved, however, in the people of the State of California the absolute right to the public use of said tidelands and to fish in the waters thereof, with the right of access to said waters over said tidelands for said purpose.

SENATE BILL No. 762

CHAPTER 849

An act to amend Section 1 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of Coronado, in furtherance of navigation, commerce and fisheries, and providing for the government, management and control thereof," approved April 27, 1923, relating to tidelands in San Diego Bay.

[Approved by the Governor June 12, A. D. 1933]

The people of the State of California do enact as follows:

SECTION 1. Section 1 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of Coronado in furtherance of navigation, commerce and fisheries, and providing for the government, management and control thereof," approved April 27, 1923, is hereby amended to read as follows:

Section 1. There is hereby granted and conveyed to the City of Coronado, a municipal corporation in the County of San Diego, State of California, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty in and to all the tidelands and submerged lands (whether filled or unfilled), and situated upon the Coronado side of the Bay of San Diego, in the County of San Diego, State of California, lying between the line of mean high tide and the pierhead line in said bay, as said pierhead line has been or may hereafter be established by the Federal Government, and between the prolongation of the easterly boundary line of the City of Coronado into Glorietta Bay, a portion of said San Diego Bay, and the prolongation of the westerly boundary line of said city of Coronado into Spanish Bight, a portion of

said San Diego Bay; to be forever held by said City of Coronado in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands shall be used by said city for the establishment, improvement and conduct of the harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion of commerce, navigation and fisheries, and for the establishment and maintenance of bathhouses and bathing facilities, and boathouses necessary or convenient for the inhabitants of said city and said city shall not at any time grant, convey, give or alien said lands or any part thereof to any individual, firm or corporation for any purpose whatsoever; provided, however, that said city of Coronado may grant franchises thereon for wharves, docks, piers, slips, quays, bathhouses and bathing facilities, boathouses and any other public uses and purposes, and may lease said lands or any part thereof for any of said uses or purposes hereinabove enumerated, or for any purposes consistent with the trust upon which said lands are held by the State of California, and with the requirements of commerce or navigation of said harbor, to person, firms or corporations for a period not exceeding 50 years; provided, however, that said city may have the right to renew such lease or leases for the further term not exceeding 25 years, or to terminate the same upon such terms, reservations and conditions as may be stipulated in such lease or leases

Every such lease shall provide for the payment of rentals to the City of Coronado, which said rentals shall either be at an agreed figure, or shall be arrived at in such manner as may be mutually agreed upon, and provided for in said lease or leases

Said leases shall also provide that at no time during their term, shall the said City of Coronado be required to make any improvements on or for the benefit of the leased land Every lease so executed shall reserve to the city council and to the people of the City of Coronado, the right and privilege by ordinance duly adopted, to terminate, change or modify such lease or leases on such terms, reservations and conditions as may be stipulated in such lease or leases

(b) That said harbor shall be improved by said city without expense to the State of California, and it shall always remain a public harbor for all purposes of commerce, navigation, and the State of California shall have at all times the right to use without charge all wharves, docks, piers, slips, quays and other improvements constructed on said land or any part thereof for any vessel or other water craft or railroad, owned and operated by the State of California.

(c) That in the management, conduct or operation of said harbor or of any of the utilities, structures or appliances mentioned in paragraph (a) no discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city.

Reserving, however, for the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands for said purpose.

ASSEMBLY BILL No. 647

CHAPTER 70

An act to add Section 4.5 to an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911, as amended, relating to the trusts and restrictions heretofore imposed upon said tidelands, and to the use and leasing of the tidelands by the city.

[Approved by Governor April 7, 1943. Filed with Secretary of State April 7, 1943]

The people of the State of California do enact as follows:

SECTION 1. Section 4.5 is added to the act cited in the title hereof, to read:

Sec. 4.5. The City of San Diego or its successor may use the lands mentioned in Section 4 and may lease, rent, or otherwise let said lands in parcels in excess of 40 acres to one or more persons, firms, or corporations in accordance with all the powers otherwise granted by Section 4 and subject to all of the limitations otherwise imposed by Section 4.

ASSEMBLY BILL No. 47

CHAPTER 119

An act amending Section 1 of "An act granting to the City of San Diego certain parcels of the state-owned lands in Mission Bay State Park upon certain trusts and conditions," approved July 24, 1939, relating to tidelands in Mission Bay State Park.

[Approved by Governor April 13, 1943. Filed with Secretary of State April 13, 1943]

The people of the State of California do enact as follows:

SECTION 1. Section 1 of the act cited in the title hereof is amended to read:

Section 1. There is hereby granted to the City of San Diego all of the right, title and interest of the State of California in and to those certain parcels of land described in Section 2 of this act owned by it in Mission Bay State Park.

All of said real property hereby granted shall be held by the City of San Diego as a part of its city park system, and administered by said city in accordance with the provisions of its charter.

There is hereby reserved to the people of the State of California the absolute right to fish in the waters of Mission Bay, with the right of convenient access to such waters over the real property hereby granted, for the purpose of fishing. There is also reserved to the State of California all the deposits of minerals, including oil and gas, in the real property hereby granted, and there is reserved to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from the real property granted and to occupy and use so much of the surface as may be required therefor.

SENATE BILL No. 310

CHAPTER 222

An act declaring portions of the lands conveyed to the City of San Diego by an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911, as amended, unavailable for navigation, commerce and fisheries and excluding such portions from use for navigation, commerce and fisheries, and authorizing the use of said portions of said lands by the State of California for the erection thereon of a state building.

[Approved by Governor May 3, 1945. Filed with Secretary of State May 3, 1945]

The people of the State of California do enact as follows:

SECTION 1. That a portion of the land heretofore granted to the City of San Diego by an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911, as amended, has heretofore been improved by adapting the same to use for navigation, and that in so adapting such portion of said land to said use, the said City of San Diego filled in such portion of said land as lies between the line of mean high tide and the seawall erected along the bulkhead line established by the United States Government, and the following area shown on the map of the Municipal Tidelands, Subdivision Tract No. 1, filed in the office of the city clerk of the City of San Diego, the eighteenth day of May, 1916, and particularly bounded and described as follows:

All that portion of Block 11, Municipal Tidelands, Subdivision Tract No. 1, bounded on the north by the prolongation of the south line of Ash Street; on the east by Pacific Highway; on the south by A Street; and on the west by Belt Street.

SEC. 2. That the said lands comprising the said above described area are hereby declared to be free from the public use for navigation, commerce and the fisheries This declaration shall not be construed or interpreted as a modification or repeal of the act of June 3, 1929, Chapter 642 at Page 1058 of the Statutes of California for the year 1929, except that nothing contained in said act or in the act of May 1, 1911, as amended, shall be held to prevent the conveyance by the City of San Diego of said portion of Block 11, Municipal Tidelands, Subdivision Tract No. 1 to the State of California for the purpose of erecting thereon a state building or held to prohibit the City of San Diego from entering into a contract with the State of California for the use of said parcel of land by the State of California by the erection and maintenance thereon of a state building.

SENATE BILL No. 1267

CHAPTER 693

An act to amend Section 3 of an act entitled "An act declaring portions of the lands conveyed to the City of San Diego by an act entitled 'An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof,' approved May 1, 1911, as amended, unavailable for navigation, commerce and fisheries and excluding such portions from use for navigation, commerce and fisheries and granting such portions of said tidelands to the City of San Diego and County of San Diego," approved June 11, 1929, relating to grant of tidelands to City of San Diego and County of San Diego for county and municipal purposes.

[Approved by Governor June 5, 1945. Filed with Secretary of State June 5, 1945]

The people of the State of California do enact as follows:

SECTION 1. Section 3 of the act cited in the title hereof is amended to read:

Sec. 3. Said lands comprising said above described area are hereby granted and conveyed to the County of San Diego and the City of San Diego, as co-owners, to be used only for county and municipal purposes, including the erection and maintenance thereon of county and municipal buildings. This conveyance is made by the State to said county and city in consideration of the public use to be made of said lands by said city and county and payment to the State of California of the sum of one thousand dollars ($1,000). Should said sum not be paid within five years from the taking effect of this act or if said land shall be used by said city and county for any other use than that herein authorized, this conveyance shall be ineffectual and the provisions of this act shall be inoperative; provided, however, that either said county or said city may in its discretion grant and convey to the other party its interest in any portion of said lands for the purpose of permitting the grantee thereof to construct and maintain public buildings thereon as sole owner.

ASSEMBLY BILL No. 2649

CHAPTER 197

An act granting certain lands of the State of California to the City of San Diego upon certain trusts and conditions.

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of San Diego, a municipal corporation of the State of California, and to its successors, all of the right, title and interest of the State of California in the real property previously granted to the State of California by, and described in, the grant of J. D. Wier and Esther L. Wier, husband and wife, on the second day of June, 1941, and recorded in Book 1257, page 136, on file in the office of the County Recorder of San Diego County, California.

To be forever held by said city, and by its successors, in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands shall be used by said city and by its successors solely for the purpose of establishing, improving and conducting a harbor for small boats and for the construction, maintenance and operation thereon of wharves, structures and appliances necessary or convenient for the protection or accommodation of commerce, navigation and fisheries and for the establishment and maintenance of parks, playgrounds, bathhouses, recreation piers and facilities necessary or convenient for the inhabitants of said city; for educational, commercial, and recreational purposes, including the necessary streets, highways and other facilities convenient thereto; and said city or its successors shall not at any time grant, convey, give or alien said lands or any part thereof to any individual, firm or corporation for any purpose whatsoever; provided, that said city or its successors may grant franchises thereon for limited periods, but in no event exceeding 50 years, for wharves and other public uses and purposes and may lease said lands or any part thereof for limited periods, but in no event exceeding 50 years, for purposes consistent with the trust upon which said lands are held and with the requirements of commerce, navigation or fisheries.

(b) That said harbors shall be improved by said city without expense to the State and shall always remain public harbors for all purposes of commerce, navigation and fisheries; and the State of California shall have at all times the right to use without charge all wharves, docks, piers and other improvements constructed on said lands or any part thereof for any vessel or other water craft or railroad owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbors or of any of the utilities, structures or appliances mentioned in paragraphs preceding, no discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

(d) There is also reserved to the people of the State of California the absolute right to fish in the waters of Mission Bay with the right of convenient access to such waters under the real property hereby granted for the purpose of fishing. There is also reserved to the State of California all the deposits of minerals, including oil and gas in the real property hereby granted, and there is reserved to the State of California or persons authorized by the State of California the right to prospect, mine and remove such deposits from the real property granted and to occupy and use so much of the surface as may be required therefor.

(e) The lands herein described are granted subject to the express reservation that the State may at any time in the future use said lands or any portion thereof for highway right-of-way purposes without compensation to the city, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements taken or the damages to such interest.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF SAN DIEGO

HARBOR DEPARTMENT
CITY OF SAN DIEGO
1040 WEST BROADWAY
SAN DIEGO 1, CALIFORNIA

COMMISSIONERS
A BORTHWICK PRESIDENT
HOLLAND M SMITH
FRANK A FRYE JR

JOHN BATE
PORT DIRECTOR
CARL F REUPSCH
ASST TO PORT DIRECTOR
J E LIEBMANN
HARBOR ENGINEER
N C RYAN
ASST TRAFFIC MANAGER
W A FORSHEE
AIRPORT MANAGER
W F REMINGTON
SUPT MAINT & CONST

March 13, 1951

HON. G. DELBERT MORRIS, *Assemblyman*
3861 Welland Avenue
Los Angeles 43, California

DEAR MR. MORRIS: Your letter enclosing the questionnaire on tidelands and submerged lands granted by the State was referred to our office by Mayor Knox on March 1, 1951.

We are enclosing our answers to these questions with the hope that they will serve your purpose satisfactorily.

Very truly yours,

JOHN BATE
Port Director

QUESTIONNAIRE REGARDING TIDELANDS AND SUBMERGED LANDS GRANTED BY THE STATE

1 Q What officer or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the State?
a. San Diego Bay-Harbor Commission, City of San Diego.
b. Mission Bay-Planning Commission, City of San Diego.

2. Q What action has been or is being taken for the development and improvement of the granted lands? All lands have been and are being improved and developed in accordance with a 20-year plan prepared by the harbor engineer and consulting engineer. Approximately 1,200 acres have been reclaimed by dredging fill of which 700 acres are presently included in the Municipal Airport (Lindbergh Field) and the remaining 500 acres leased to various tenants or used for streets.

3. Q Have public funds been expended for such purposes, and, if so, approximately in what amount? Harbor Development Bonds have been issued in the amount of $3,270,500, and grants from the General Fund of the City of San Diego have totaled $1,200,000, a combined total of $4,470,500.

4. Q What improvements have been made pursuant to franchises or leases and what is the approximate value thereof? The San Diego County Assessor's appraisal of tidelands and tideland improvements for 1951 is $9,204,503. These improvements include dredging, filling, pier construction, buildings and railways.

5. Q What franchises or leases of such lands are currently in effect? Approximately 250 leases are in effect covering operations of aircraft plants, shipyards, canneries, restaurants, garages, parking lots, lumber yards and other business and recreational activities.

6. Q What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which such revenues are used? Present annual revenues are approximately $700,000, received from land and building rentals, concession returns on retail business, wharfage, dockage and parking meters. (See enclosed annual report.) All revenues are used for the operation and development of the port.
7. Q To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations? Approximately 80 percent of the tidelands are presently occupied by private individuals, corporations and governmental agencies—all covered by leases or permits.
8. Q Has the local agency been divested of title or right to possession of any of the granted lands by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise? About 630 acres of undeveloped tideland and submerged land were deeded to the Federal Government by the citizens of the city, starting in 1916. The purposes for which these lands have been used include the 11th Naval District Headquarters, Naval Training Center, Naval Station, Navy Pier, Naval Supply Depot, Marine Corps Recruit Depot and the Coast Guard Air Station.

   Approximately 16½ acres have been deeded to the City and County of San Diego for the location of the Civic Center Administration Building.
9. Q Have any judicial proceedings been commenced against the local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the cases and state the effect of each judgment. No.

HARBOR DEPARTMENT
CITY OF SAN DIEGO
1040 WEST BROADWAY
SAN DIEGO 1, CALIFORNIA

COMMISSIONERS
A BORTHWICK PRESIDENT
HOLLAND M SMITH
FRANK A FRYE JR

JOHN BATE
PORT DIRECTOR
CARL F REUPSCH
ASST TO PORT DIRECTOR
J E LIEBMANN
HARBOR ENGINEER
N C RYAN
ASST TRAFFIC MANAGER
W A FORSNES
AIRPORT MANAGER
W F REMINGTON
SUPT MAINT & CONST

November 27, 1950

HARBOR COMMISSION
City of San Diego
California

GENTLEMEN: Following is a report of the Harbor Department activities covering the Fiscal Year 1949-50.

Harbor Department Funds

SUMMARY STATEMENT OF CASH ACCOUNTABILITY
YEAR ENDED JUNE 30, 1950

EXHIBIT A

	Operating fund 510	*Development fund 511*	*Total*
Cash on Hand, July 1, 1949	$299,981.57	$1,842,841.69	$2,072,823.26
Add: Fiscal year revenues (Schedule R-1)	665,144.96	27,226 54	692,371 50
	$895,126.53	$1,870,068.23	$2,765 194 76
Deduct: Fiscal Year Expenditures (Schedule E-1 & E-2)	$244,685.77	$894,231.46	$1,138,917.23
Outlay Expenditures (Schedule O-1)	30,093.07	---	30,093.07
	$274,778.84	$894,231 45	$1,169,010 30
	$620,347.69	$975,836.77	$1,596,184.46
Interfund transfers	$355,000.00	$350,000.00	Cr. —$5,000.00 *
Cash on hand June 30, 1950	$265,347.69	$1,325,836 77	$1,591,184 46
Less: Reserve for encumbrances	5,338.14	592,954.16	598,292 30
Net available cash June 30, 1950	$260,009.55	$732,882.61	$992,892.16

* Deduct for 512 Fund

Harbor Operation and Maintenance Fund

STATEMENT OF REVENUES
Year Ended June 30, 1950

SCHEDULE R-1

Account		*Amount*
Dockage		$3,482 20
Wharfage		16,521 89
Land rentals		302,461.76
Concessions and agreements, Lindbergh Field		42,440 95
Improved land rentals		117,193 30
Land rentals, Lindbergh Field		225 00
Rental of equipment		3,937.44
Sale of water		3,066 19
Sale of gas and electricity		1,121.20
Parking meters		11,475 44
Storage:		
Municipal warehouse	$11,083.72	
Broadway pier	3,393 13	
B Street pier, shed No. 1	5,828 78	
B Street pier, shed No. 2	12,441 60	
B Street pier, shed No. 3	11,421.65	
		$44,168.88

SCHEDULE R-1

Account		*Amount*
Building rental:		
Broadway pier headhouse	$8,133.37	
B Street pier headhouse	8,252.98	
Administration building	9,309 32	
Fish market building—905-65 Harbor Drive	17,013 67	
Fish office building—408-424 Harbor Lane	2,545 00	
Navy Landing, 1050 Harbor Drive	3,004 28	
Ryand Buildings and facilities	35,244 30	
Lindbergh Field	19,247 21	
		$102,750 13
Sale of discarded material and equipment		$8,463.23
Sundry revenue		7,837.35
Total revenue		$665,144 96

STATEMENT OF EXPENDITURES
Year ended June 30, 1950

SCHEDULE E-1

Activity	*Amount*	
Port director	$15,866.73	
Business management	27,289 89	
Traffic operations	28,307.57	
Lindbergh Field	23,826 56	
Engineering service, not otherwise chargeable	10,703 70	
Projects pending	1,190.36	
Piers, wharves and floats	24,071.05	
Buildings	27,593.64	
Streets and highways	13,915.48	
Seawalls and bulkheads	2,069.72	
Sewer systems	345 37	
Water mains	652 11	
Drainage systems	298 73	
Railroad track maintenance	1,354.16	
Tideland cleanup	32,833.07	
Yard and shop maintenance	20,299.22	
Stock control expense	3,851.71	
Parking meter expense	1,483 50	
Other expense	17,862.87	
Workmen's compensation	3,517.08	
Work for other (reimbursable expense)	3,152.10	
General insurance	9,158.74	
Revenue refund	265.22	
Auditor's adjustment	77.48	
		$269,986 06
Excess issues over purchases (stock control credits)	$5,285.80	
Equipment maintenance plus rental credits	19,816 46	
Reimbursement credit	198.03	
		$25,300 29
Net operating expenditures		$244 685.77

Harbor Development Fund

STATEMENT OF EXPENDITURES
Year Ended June 30, 1950

SCHEDULE E-2

Activity		*Amount*
Piers, wharves and floats		
Extension of 28th Street Pier	$53,338.91	
Construction of 10th Street Pier	433,320.02	
Commercial fishing piers, Sonar School area	1,045.60	
G Street Pier	10,925.28	
Commercial fishing piers, commercial basin	13,605.51	
Floats	1,063 24	
Miscellaneous	576.03	
Total piers, wharves and floats		$513,874 59
Buildings		
Paint harbor buildings	$5,536.85	
Sport fishing building	661.22	
Customs building	154.25	
Miscellaneous	31.50	
Total buildings		$6,383.82
Streets and highways		
Fish Market Road	$643.28	
Van Camp Alley paving	169.26	
Emerson Street, grade, pave and curbs	760.51	
Wake Blvd., paving	4,277.00	
Harbor Drive curbs, Ash to Market Streets	13,121 85	
Scott Street area, paving	3,480.01	
Total streets and highways		$22,451.91
Seawalls and bulkheads		
Slope protection, commercial basin	$1,342 36	
Slope protection, Dickens and Emerson	2,358 83	
Rip-rap protection, 10th Street area	1,493 34	
Improve seawall, G Street area	738.50	
Total seawalls and bulkheads		$5,933 03
Sewer systems		
Beardsley Street sewer	$2,143 97	
Lindbergh Field sewer	7,774 49	
Fish market sewer	343.64	
G Street sewer	1,674.34	
Lowell Street sewer laterals	232 50	
Emerson Street sewer	761.77	
Canon to Talbot Street sewer	9,274 84	
Total sewer system		$22,205 55
Water mains		
Emerson Street, line and fire hydrant	$905 06	
Lowell Street line	165.00	
Harbor House line and meter	116 04	
Miscellaneous	59.82	
Total water mains		$1,245 92
Drainage systems		
Institute of Aeronautic Sciences area	$207.65	
Canon and Addison Streets	95 39	
Fish Market Building	286.07	
Benson Lumber area culvert	390.10	
Total drainage systems		$979 21

SCHEDULE E-2

Activity		*Amount*
Tideland development		
Harbor House driveway and parking lot	$806.98	
Henderson Avenue fence	802 65	
Rolling gates at harbor Drive and Wake Boulevard	6,947.51	
Paving and storm drain at Wake Boulevard for Convair	114.58	
Pave sport fishing parking area	5,356.60	
Promenade walk, commercial basin	308.30	
Transplant palm trees	2,627.47	
Fence at Sonar School line	966 71	
Grade and oil salvage yard	538.70	
Miscellaneous	8 72	
Total tideland development		$18,478 22
General harbor development		
Dredge Embarcadero basin	$86,333.53	
Dredge yacht harbor, commercial basin and complete Shelter Island	198,711.72	
Plan Port of San Diego	4,136 87	
Install channel markers	1,140.26	
Landscape harbor	1,133.04	
Total general harbor development		$291,455.72
Lindbergh Field		
Construct CAA control cab	$6,189.50	
Develop nonschedule flight area	2,820 99	
Remodel Nelson-Kelly Hangar	152 82	
Pave Terminal Building aircraft apron	375.44	
Remodel Terminal Building	2,538.06	
Construct CAA power shed	306 33	
Pave and widen taxi strip	1,095.84	
Total Lindbergh Field		$13,478 98
		$896,486.65
510 job order adjustment		$142 12
511 job order adjustment		—2,319 83
Auditor's adjustment		—77 48
Total harbor development expenditures		$894,231.46

Harbor Department—Outlay

Fiscal Year July 1, 1949-June 30, 1950

SCHEDULE O-1

Administrative Division		
1 Dictaphone and transcribing machine	$664.09	
Dictaphone belts	13,39	
1 Dazor fluorescent lamp	17.61	
1 10-Bank semi-automatic Monroe calculating machine, Model CST-10	463.50	
2 Steel stenographer's desks and tables	450 59	
2 Stenographer's chairs	60 67	$1,669 85
Engineering Division		
1 Complete 10-drawer file for tracings	$955.84	
1 Surveyor's transit with 20-second plate code Buzka	719.70	
1 Shaw-Walker steel filing cabinet (legal)	74.95	
5 Harter drafting stools	174.95	
4 Fluorescent lamps (Dazor floating fixture)	70 22	
1 Erasing machine	20 04	$2,015.70

SCHEDULE O-1

Activity		*Amount*
Yard and Shop		
1 Pole derrick, Model D-35	$295 20	
1 Toledo weighing scale (used)	36 05	
2 200-gallon gasoline tanks	82 00	
1 Welding torch and regulator	86.61	
1 Fire gun with burner	30 28	
2 Hand crank hose reels, complete	236 98	
1 1½" Gorman Rupp portable pump, complete	172.72	
1 1¼" Jabsco pump	52 23	
2 Blackmer hand gasoline	74.20	
1 Cast iron cement breaker	196 94	
1 Compressed air storage tank—2' diameter x 66" long—200# working pressure	103.47	
1 Sioux valve seat grinder set #1725	152 02	
1 Comet power saw, complete	613.26	
2 10' x 12" Lyon roller conveyors	104 77	
6 Jackson wheel barrows with pneumatic tires	132.03	
1 Gardner-Denver backfill tamper and pneumatic vibrator	428.99	
4 Safety load binders and 2 convertible hoists	228.11	
2 Alternator kits for mobile equipment—installed in #7002-Chevrolet sedan and #7223 Ford pickup	299 97	
Installation of police radio in Chevrolet sedan	81.73	
Recondition Jaegar pump #16123	191.22	
Forward	$3,598 78	
Overhaul Lima crane (J. O. 16106)	6,915 59	
Overhaul Lima crane truck (J O. 16107)	1,398.64	
Overhaul diesel cat bulldozer (J. O. 16133)	483 47	
Recondition personnel boat 5-7704 (W. O. 2930)	41 82	
Tax on gunite machine	55.62	$12,493 92
Miscellaneous Outlay Items		
1 Inboard motor boat "Bottomscratcher"	$250 00	
12 Temco gas heaters	181.69	
24 24" cork life ring buoys	148 99	
205 Dual parking meters	10,619 94	
1 Used wooden barge	1 00	
5 212-AM-3 Webster Teletalk Master stations and 6 5" speakers and push buttons	524.01	
Purchase of Lot E, Block 23, New San Diego (Van-Keuren)	500 00	
Title insurance on Lot E, Block 23, New San Diego	15.00	
Certificate of title—Navy Over-all Exchange	250.00	
1 Victor movie projector	406 85	
1 4 x 5 speed graphic camera, complete	269.20	
1 Duplicate copy of original 16MM Kodachrome film "Harbor of the Sun"	223.41	
1 16MM silent Kodachrome print "Harbor of the Sun"	77 49	
1 Black and white copy and 1 Kodachrome print of "Harbor of the Sun"	200 13	
2 Black and white prints and 902' 16MM Kodachrome of "Harbor of the Sun"	245.89	13,913.60
Grand Total		$30,093 07

ANNUAL REPORT OF THE HARBOR DEPARTMENT

July 1, 1949-June 30, 1950

The Fiscal Year 1949-50 was marked by an increasing tempo in the activities of the various divisions of the Harbor Department. Traffic through the port continued to show an increase. A number of continuing negotiations resulted in the acceptance and execution of long term leases. Plans relating to the future development of Lindbergh Field and the establishment of policies relating to its operation were further crystallized. The reclamation of additional tidelands, the dredging of large areas in the bay, and the construction of port facilities were carried out under private contract and by Harbor Department forces.

Following the trend established within the past few years, revenue traffic through the Port of San Diego continued to increase. Commercial ship arrivals and departures were up 25 percent from the previous year, and in several categories of

trade routes, inter-coastal cargoes were up 70 percent, coast-wise cargoes 300 percent, and imports were up 12 percent. A total of 1,282,385 tons, valued at $77,090,980 entered and departed the port during the Fiscal Year 1949-50. This total is actually less than that shown on reports for the last year due to the fact that Navy petroleum products delivered in naval vessels to naval facilities are no longer included in the tonnage total. Petroleum products delivered in privately owned vessels to private storage facilities showed considerable decrease from the previous year.

Efforts leading towards the development of additional cargo are being constantly exerted; and in addition, closer liaison is being maintained with consuls, commercial attaches and foreign trade missions of various foreign countries in an effort to promote and develop export and import trade through the port. During the past year a foreign trade mission sponsored by the Government of Sweden representing the glass and woodworking industries of that country paid San Diego a visit of several days duration. Facilities were made available through the Harbor Department for the display of their products and interviews with importers were arranged to determine the acceptability of their products for use in the United States.

The Institute of Aeronautical Sciences on the night of May 9, 1950, was the scene of the premiere of the 16 mm. sound-color motion picture, "The Harbor of the Sun." Government officials, representatives of the armed forces and the Coast Guard, civic leaders and their guests were in attendance to see the motion picture which had been conceived and produced by the Harbor Department working in conjunction with a Hollywood producer. Since that date nearly 1,000,000 people have seen the motion picture in color and through the aid of television. Color prints have been scheduled for showings in such cities as San Francisco, Los Angeles, Kent, Ohio, St. Paul, Buffalo and New York City. Schedules have also been arranged for the televising of prints over stations in such key cities as San Francisco, Phoenix, Salt Lake City, Omaha, San Antonio and Fort Worth. Further arrangements are being made to show the picture in practically every major city in the United States, and it is estimated that before the film is retired from service an estimated audience of over 10,000,000 will have seen the beauties of the Bay of San Diego, its port traffic, commercial and sport fishing activities, the varied operations on Lindbergh Field and the recreational aspects of the bay. The cost of bringing this story to the public has averaged approximately one-half cent per individual, and it is estimated that this will be reduced to almost one-tenth of a cent before the film is retired.

Departmental revenues for the Fiscal Year 1949-50 totaled $665,145, an increase of 17 percent over the revenues of 1948-49. This increase was especially gratifying in view of the fact that it marked an increase of over 38 percent over the Fiscal Year 1947-48, and permitted the Harbor Commission to begin appropriating large sums of money for the development for the Bay of San Diego, the construction of the 10th Street Pier, the extension of the 28th Street Pier to deep water, the dredging of the embarcadero basin and the dredging of the yacht and commercial basins with the resulting extension of the Byron Street Mole to connect with Shelter Island were the major projects approved by the commission. These projects required a total appropriation of $1,396,000. The work required to be done by the Engineering, and Maintenance and Construction Divisions in connection with outside contracts resulted in a reduction of the departmental operating cost to $258,300, a reduction of nearly 25 percent under the budget of the previous year. It can be anticipated that upon the completion of these projects which will occur shortly after the start of the 1950-51 Fiscal Year, sufficient Harbor Department personnel will be released to begin a major program of maintenance on the facilities of the Bay of San Diego. This will result in an increase in the operating budget of the department.

The past year has also seen the advent of daily air cargo flights on Lindbergh Field by a nationally known air cargo carrier and the establishment of intra-state operations. The statistics for operations on the field are broken down as follows:

Air Traffic:	*In*	*Out*
Passengers	75,753	82,728
Air freight	713,654 lbs.	1,024,655 lbs.
Air express	337,462 lbs.	116,777 lbs.
Air mail	603,816 lbs.	589,846 lbs.

Aircraft Activity (landings and take-offs):	
Air carrier	16,377
Military	7,397
Civilian	56,444
Total	80,178

One of the major improvements completed on Lindbergh Field during the fiscal year was the construction of new quarters for the Departments of Customs, Immigration and Public Health. By establishing these departments in a separate building immediately adjacent to the field, the handling of aircraft to and from foreign countries was tremendously facilitated. A contract was also entered into during the year with an outstanding architect to prepare plans for the remodeling and modernization of the Airport Terminal Building, which has been a long awaited development on the Municipal Airport.

Major engineering and construction projects undertaken during the Fiscal Year 1949-50 are summarized below

Dredging. Approximately 537,000 cubic yards of material was removed by dredging in the 10th Street area which provided the necessary channels and slips to a depth of 31 feet to serve the new 10th Street Pier structure approximately 226,500 cubic yards were removed to deepen the Embarcadero Boat Basin to a depth of 18 feet which, with future pier and bulkhead construction in this locality, will give the tuna fishing fleet an adequate anchorage basin and fulfill a long-felt need in harbor development

The dredging of some 20,000 cubic yards of material in the 28th Street Pier project has been completed, and a part of the material has been stockpiled, awaiting the construction of the exterior masonry pier walls which will contain the fill

Waterfront recreation facilities have received their share of improvements during the year in the dredging of approximately 1,000,000 cubic yards of material in the Municipal Yacht Harbor at Roseville. This dredging has provided a new 400-foot entrance channel south of the recreation basin with a 20-foot depth, an anchorage area 20 feet in depth, and created a connecting channel 15 feet deep from the basin's entrance to the foot of Canon Street. Several additional acres have been dredged to a 15-foot depth, and all other shallow depths in the recreation basin have been deepened to a minimum of 10 feet

A total of $285,045 in harbor funds has been expended in the dredging and reclamation of municipal tidelands during the year

Reclaimed Lands Bay dredging not only provides deeper waters, but the dredged material serves to reclaim many acres of valuable property. Dredging in the 10th Street area has made possible the reclamation of approximately 30 acres of tidelands, and makes 18 additional acres available for industrial development The dredging at 28th Street produced some 20,000 cubic yards of material needed to make the fill for the Mole Pier in extending the 28th Street Pier to deep water at the U S Pierhead Line Material from the Embarcadero Boat Basin was used to fill to grade some 70 acres of undeveloped ground lying westerly and adjacent to the airport, and the dredged material from the yacht harbor has created a new causeway 6,000 feet in length and 300 feet wide, along the main bay channel with its connection to the mainland at the foot of Byron Street Mole This connection, which adds approximately 1,000 feet to the extension of Byron Street across tidelands, now forms two separate boat basins, a north basin used exclusively for commercial purposes, and a south basin for recreational use A conservative estimate of the value of all land reclaimed during the year will exceed $1,000,000.

Pier Construction Work on 28th Street Pier, a mole structure 210 feet in width, has been in continual progress throughout the year. Dredging to a depth of 30 feet at mean lower low water has been completed along the off-shore end of the structure which will permit the economical unloading of vessels used in the lumber trade and bulk commodities The 28th Street Pier extension, along with 672 lineal feet of the 10th Street Industrial Pier structure, is scheduled for completion in the early part of December. The design of both piers is new for this coastal vicinity; consisting of a solid tremie rip-rap gravity section to an elevation of plus 3 and solid mass concrete above this elevation. The low bid for the combined work on both piers, based on engineer's estimated quantities, was $617,000. Actual expenditures for the two unified projects during the year amounted to $486,659.

Increased interest and patronage for the sport and commercial fishing industry necessitated further investment of harbor funds in the area bounded by Harbor Drive, Dickens Street, Scott Street, and the waterfront. Anchorage Piers Nos 1, 2, and 3 have been completed, and all available anchorage space is in use Piers 1 and 2 are assigned to commercial fishing craft, and Pier No 3 is used exclusively by sport fishing vessels Pier No 1, 434 feet long and 10 feet in width, constructed of rail piles with wood deck, was built by harbor department personnel and equipment during the fiscal year at a cost of $10,433 92 It provides 45 17-foot slips for commercial fishing boats and along with Piers No. 2 and No 3 produces a revenue of approximately $11,804 each year Final improvements for the shore line from Pier No 2 to Dickens Street were completed This project included the laying of approximately 3,500 square feet of hand-laid cemented rip-rap slope protection, 5,000 square feet of asphalt paved promenade walkway, 1,000 lineal feet of concrete curb separating the walkway from the newly improved parking area. Numerous full-grown, transplanted, date palms now line the walkway, giving an air of scenic beauty which is enjoyed by thousands of visitors throughout the year

Harbor forces and equipment, in addition to completing the above mentioned work, worked in conjunction with a private contractor to complete the improvement of Scott Street, from Dickens Street to Harbor Drive, a distance of four blocks Work involved in this project included the finish grading and paving of Scott Street by a private contractor with four inches of asphalt pavement The construction of approximately 866 lineal feet of standard concrete curb, approximately 2 500 square feet of concrete sidewalk, along with three concrete catch basins and connection to

existing drainage structures and the necessary sewer and water extensions were completed with harbor forces and equipment.

A long awaited improvement was completed at the foot of Addison Street The two unloading piers, serving the cannery prior to the commencement of the project, and located in the recreational area, were removed. One of these, the old Hovden Pier, a landmark in this vicinity for over 35 years, was demolished and the material discarded. The other pier, built some five years ago, was taken down and reconstructed in the commercial basin adjacent to a newly constructed pier 225 feet in length and 18 feet wide The cost of removing flumes, conveyors, tanks, and other structures above the decks on the old piers, and their installation on the new piers, was borne by the cannery; all other costs of demolition and new pier construction was accomplished by contract with harbor funds in the amount of $22,790. The inlet in which the piers were formerly operated has been filled with dredging material creating some 60,000 square feet of additional tidelands.

Airport. Two projects of major importance were completed during the year on Lindbergh Field. The removal of the old cab on the control tower and its replacement with a larger, modern, no-glare-glass cab at a contract price of $5,418 has filled a long-time need. New equipment installed by the C. A. A. now insures maximum service and protection to incoming and outgoing air traffic. Continued progress in development of the commercial area for Lindbergh Field has been maintained, and extensive grading and filling operations with harbor forces and equipment are being carried on periodically. Contract work during the year in this area consisted of the installation of 1,718 lineal feet of eight-inch vitrified clay sewer pipe with manholes and appurtenances, and the installation of two three-inch sewage pumps at a total contract price of $7,407 80. Completed minor projects at the airport include painting and roof renewal for the C. A. A. quarters in the control tower, alterations to Biloxi School building to provide facilities for foreign plane inspection, and the repainting of runway and taxi strip markings on the field.

Wake Boulevard, an airport roadway used by Convair planes to reach the waterfront, was widened 25 feet by the Consolidated Vultee Aircraft Corporation. The intersection of Wake Boulevard with Harbor Drive was widened and paved, and extensive chain link wire gates and fence installations were made under two separate contracts by the Harbor Department, one for $6,395 for the gate and fence construction, and $4,277 for paving the intersection.

Tideland Street Improvement Work For the protection and guidance of heavy traffic and the efficient and safe parking of autos and trucks along Harbor Street between Market and Ash Streets, a contract was let to install 4,870 lineal feet of reinforced concrete curb, which now divides the street into traffic and parking lanes. The contract price and extra work amounted to $10,458.16

Minor improvements to Emerson Street extension across tideland include the construction of 150 lineal feet of concrete curb, the installation of 240 lineal feet of six-inch vitrified clay pipe for sanitary sewer extension and the installation of 233 lineal feet of six-inch transite water main with fire hydrant This work was accomplished with Public Works Department labor and equipment cooperating with Harbor Department forces, and paid for with harbor funds.

Municipal Tideland Buildings. For the first time in the history of the Harbor Department, a serious fire damaging municipally owned property on the tidelands was experienced Fire of unknown origin broke out on November 3, 1949, in the northwest corner of the Fish Market Building, located at the foot of Pacific Highway, and caused damage which required a contract for $45,168.41 to restore the building to its former condition. Insurance fully covered the cost of repair Painting of the exterior surfaces of the Fish Market Building after restoration, along with the waterfront offices located at 410 to 422 Harbor Lane, the Fire Station Building located at the foot of Harbor Lane, the Shore Boats Building located at 1050 to 1060 Harbor Street, and the Municipal Warehouse Building located at 1265 Harbor Drive, was completed during the year under one contract amounting to $4,829.94 Periodic painting of municipally owned buildings along the waterfront, not only provides protection against rapid deterioration by sea air, but also adds considerably to the beautification of the waterfront

"G" Street Pier. Periodic work continued on "G" Street Pier with two contracts being completed during the year, one being the construction of a landing pier, 75 feet long and 24 feet in width, for the Pan American Fisheries Company, which was completed at a cost of $6,752 22. The other contract called for the installation of a sanitary sewer consisting of 376 lineal feet of eight-inch vitrified clay pipe, two manholes and appurtenant work which was completed at a cost of $1,495. Relocation of the six-inch transite water line on the pier necessitated the removal and installation of approximately 500 lineal feet of six-inch transite pipe with appurtenant valves and fittings The work was accomplished with labor force and equipment from the City Water Department.

Many other minor improvements requiring skilled labor and knowledge in practically every type of construction work was undertaken and completed with harbor personnel and equipment.

Maintenance and repair work was carried on throughout the year efficiently and economically. The diversified work of maintenance included the repair and maintenance of railway tracks, piers, floats, boats, pontoons, bulkheads of all types, street repairs, parking areas, sewer, water and drainage lines, buildings and other diversified types of work

Engineering and Drafting Engineering and drafting work, under the direction of the harbor engineer working with George F. Nicholson, Consulting Engineer, has kept pace throughout the year with the accelerated speed maintained in the accomplishment of port development and tideland improvements With the exception of contractural architect's services required for the Airport Administration Building and Sport Fishing Building, all plans and specifications for the various projects have been completed by the Harbor Department. Continual studies to relieve the ever-increasing traffic problem along the 10 miles of waterfront has resulted in new plans for parking and roadways soon to be submitted for approval Promotional maps, profiles and sketches to aid in securing government funds for surveys in connection with the 34-mile Laguna Tunnel were completed The value of the finished tunnel project to the City of San Diego, and particularly to the Port of San Diego, cannot be overestimated.

Contemplated New Work

Airport. Continued progress will be made for the development of the area set apart for nonscheduled flight and aviation school activities. Plans for paved roadways, drainage, domestic water and fire protection have already been made.

Plans and specifications are ready, and bids will soon be received to pave a concrete apron covering 218,000 square feet in an area west of the present administration building.

Architectural plans for the modernization of the airport administration building are being prepared by contract.

Plans have been made and approved for the installation of air conditioning equipment to be installed in the airport traffic control tower.

New Buildings The old Coast Guard Building, 27 feet by 72 feet located at the foot of Canon Street and acquired by the city at the end of World War II is scheduled for removal to the Byron Street Mole and will be remodeled to suit a new tenant engaged in the building of small boats. Moving and remodeling costs are estimated at $2,500

Plans and specifications for a new Customs Building, located on the waterfront near the foot of Date Street, are ready for bids and completion of the building is scheduled early in the coming year.

Piers. Overcrowding anchorage for sport and commercial fishing vessels, necessitated the appropriation of additional funds for the construction of Piers 4, 5, 6, 7 and 8 in the commercial basin at Roseville. The influx of vessels from points north along the coast has been phenomenal Contracts for the construction of these piers will be executed in the immediate future. Work on Pier No 4 is already under way with harbor personnel and equipment and is approximately 50 percent complete.

Studies are under way preparatory to the drawing of plans for a Tuna Boat Anchorage Pier, 560 feet in length and 20 feet in width, to be located in the Embarcadero Boat Basin Early estimates indicate a cost of approximately $70,000.

Studies and plans are being prepared for the demolition and replacement of 6,300 lineal feet of fender system for the protection of "B" Street Pier, Broadway Pier, and the Embarcadero apron wharf. Continued work on 10th Street Pier, and the development of the adjacent 48 acres of tidelands along with paving, water and sewer lines, and lighting facilities for 28th Street Pier has produced a backlog of engineering studies and plan preparation.

Bulkheads. Many thousands of tons of rip-rap to protect the new dredged fills, now being completed, will be required during the coming year.

Sewers. Over-all studies of the waterfront tending to eliminate the flow of sewage and cannery wastes has long been under way. Plans and specifications for one major project, which will adequately solve the sewage problem in the area northwest of Crosby Street, are ready for bids and require the installation of approximately 2,000 lineal feet of pipe of 15-inch to 27-inch diameters and a pumping plant equipped with three 4-inch sewage pumps and powered by three 15 h.p. electric motors.

Continued progress will be maintained in the development along Byron Street Mole to its connection with Shelter Island. This work will consist of preparation of areas for new leases and construction of needed street improvements, sewer and water line extension, and drainage facilities to accommodate new lessees.

Streets and Paving. Plans are being prepared for streets to service the reclaimed land in the 10th Street Pier area and to improve streets in the vicinity of the 28th Street Pier. It is anticipated that contracts for this work will be let during the coming year. Negotiations with the Santa Fe Railroad have been initiated to acquire property which will permit a straightening of Belt Street in the vicinity of the San Diego Marine Construction Company. The existing roadway paralleling the bulkhead at the foot of Crosby Street is also scheduled for realignment and servicing.

Very truly yours,

JOHN BATE,
Port Director

ANALYSIS OF THE REPLY OF THE CITY OF SAN DIEGO

The reply of the City of San Diego is indefinite with respect to whether the development and improvement of the granted lands constitute substantial compliance with the terms and conditions of the statutes of grant, of which there are twelve, or constitute unauthorized use and administration of such lands. The general inference of the reply, however, leaves little doubt that there has been in numerous instances such unauthorized use and administration Particular reference in this regard is made to the answers to Questions Nos. 5, 7, and 8

Conclusion. The reply of the City of San Diego is unsatisfactory, and further investigation by the committee is required, in the following particulars: there is evidently unauthorized use and administration of granted lands of major proportions, with respect to which immediate surveys should be made and extensive and comprehensive research, examinations, and investigations conducted, to enable the committee to gain sufficiently complete and detailed information and data regarding the same, so that the committee can adequately report to the Assembly on the advisability of re-acquisition of such granted lands by the State of California.

COUNTY OF SAN LUIS OBISPO

SENATE BILL No. 1558

CHAPTER 1076

An act conveying certain tidelands and submerged lands to the County of San Luis Obispo, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State.

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted and conveyed to the County of San Luis Obispo and to its successors, all of the right, title, and interest of the State of California, held by it by virtue of its sovereignty, in and to the tidelands and submerged lands, whether filled or unfilled, in or adjacent to Morro Bay, and more particularly bounded and described as follows:

Beginning at the northwesterly corner of Section 6, T. 30 S., R 11 E., M.D.M., and running S. 0 degrees 3 minutes E., a distance of 1,348 80 feet to a point; thence west on a true line to the ordinary high water mark of Morro Bay, the true point of beginning; thence, from the true point of beginning, in a northwesterly direction to the northeasterly corner of Lot 1, Section 1, T. 30 S., R 10 E., M D. M.; thence along the ordinary high water mark of Morro Bay and the Pacific Ocean to the northwesterly corner of Lot 1, Section 2, T. 30 S., R. 10 E., M D M.; thence west to a point three miles seaward of the ordinary high water mark of the Pacific Ocean; thence in a northerly direction to the point of intersection with the westerly prolongation of the center line of 66th Street, Atascadero Beach, 3 miles seaward of the ordinary high water mark of the Pacific Ocean as it existed prior to the construction of the seawall extending from Atascadero Beach to Morro Rock; thence along the said ordinary high water mark of the Pacific Ocean and Morro Bay as shown on a plat entitled "Map Showing Survey of San Luis Obispo County Property in

Lot 1, Block 31, Atascadero Beach and Line of Mean High Water along the Pacific Ocean Adjacent to and North and South of said Property and near the Proposed Breakwater at Morro Rock. Surveyed by Kenneth Beck, County Surveyor, March 1934" and recorded in Book 2 at page 39 of Licensed Surveyors' Maps, San Luis Obispo County Records, and continuing along the ordinary high water mark of Morro Bay to the true point of beginning, excepting therefrom tidelands patented by the State under Tidelands Surveys Nos. 10 and 14, and any land owned by the State under the jurisdiction of the Division of Beaches and Parks, State of California, consisting of 3,300 acres, more or less.

To be forever held by said county and its successors, in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands shall be used by said county, and its successors, only for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures, facilities and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said county, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said county, or its successors, may grant franchises thereon for limited periods (but in no event exceeding 50 years), for wharves and other public uses and purposes and may lease said lands, or any part thereof, for limited periods (but in no event exceeding 50 years), for purposes consistent with the trust upon which said lands are held by the State of California, and with the requirements of commerce and navigation at said harbor, and collect and retain rents from such leases.

(b) That said lands shall be improved by said county without expense to the State, and shall always remain available for public use for all purposes of commerce and navigation, and the State of California shall have at all times, the right to use, without charge, all wharves, docks, piers, slips, quays, and other improvements and facilities constructed on said lands, or any part thereof, for any vessel or other water or aircraft, or railroad, owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures, appliances or facilities mentioned in paragraph (a), no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said county or its successors.

(d) There is hereby reserved, however, in the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands for said purposes.

(e) There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said land, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from said land.

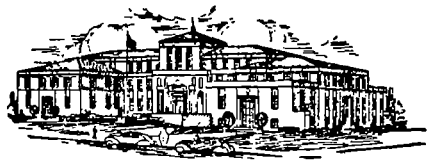
(f) The lands herein described are granted subject to the express reservation and condition that the State may at any time in the future use said lands or any portion thereof for highway purposes without compensation to the county, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the

event improvements have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements taken or the damages to such interest.

(g) There is hereby excepted and reserved to the State of California and the people thereof the absolute right, as the case may be, to regulate, control, establish, provide for, and dispose of oyster beds pursuant to the provisions of Sections 814 to 822, inclusive, of the Fish and Game Code of this State.

DATA FURNISHED TO THE COMMITTEE BY THE COUNTY OF SAN LUIS OBISPO

REGULAR MEETINGS
Fourth Wednesday
of Each Month



Ben D Conrad,
ENGINEER-SECRETARY

COUNTY OF SAN LUIS OBISPO
Office of
PLANNING COMMISSION
SAN LUIS OBISPO, CALIFORNIA

August 31, 1948

ASSEMBLYMAN RALPH C. DILLS
State Capitol
Sacramento 14, California

DEAR SIR: The following is the information requested in your letter to the San Luis Obispo County Board of Supervisors dated July 26, 1948:

1. Which officer or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the State?

A. County Board of Supervisors, San Luis Obispo County.

2. What action has been or is being taken for the development and improvement of the granted lands?

A. An access road is being developed along waterfront. Development of property by leasees.

3. Have public funds been expended for such purposes, and, if so, approximately in what amount?

A. For access road—approximately $1,000.00.

4 What improvements have been made pursuant to franchises or leases and what is the approximate value thereof?

A. None.

5. What franchises or leases of such lands are currently in effect?

A. Ten leases in effect—approximately 1,600 feet of frontage plus upland area between embarcadero and access road.

6. What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which such revenues are used.

A. Annual revenues received on above leases amount to $2,086.40. Revenues are received from the rental of the land only, at present.

7. To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations?

A. All of the above land leased is occupied by individuals.

8. Has your local agency been divested of title or right to possession of any of the granted land by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise?

A. No.

9. Have any judicial proceedings been commenced against your local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment.

A. No.

Trusting that this information will be of assistance to you, we remain

Yours very truly,

BEN D. CONRAD
Engineer-Secretary

ANALYSIS OF THE REPLY OF THE COUNTY OF SAN LUIS OBISPO

The reply of the County of San Luis Obispo discloses a substantial compliance with the conditions of the statute of grant and with the trust under which the granted lands are held. However, the statement that 1,600 feet of frontage, plus upland areas, are controlled by ten leases now in effect, read with the report that all of the leased land is occupied by individuals, marks the possibility of an unauthorized use and administration of the granted lands.

Conclusion. The committee should investigate the leases of the granted lands, the use and administration of such lands, and the purposes to which the revenues therefrom are applied. By obtaining sufficiently complete and detailed data and information, the committee will be able adequately to report to the Assembly on the advisability of reacquisition of the granted lands.

CITY OF SAN MATEO

ASSEMBLY BILL No. 486

CHAPTER 536

An act granting to the City of San Mateo the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom, and regulating the management, use and control thereof.

[Approved May 27, 1915]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of San Mateo, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all the salt marsh, tide and submerged lands, whether filled or unfilled, within the present boundaries of said city, and situated below the line of mean high tide of the Pacific

Ocean, or of any harbor, estuary, bay or inlet within said boundaries, to be forever held by said city, and by its successors, in trust for the uses and purposes, and upon the express conditions following, to wit. That said lands shall be used by said city and its successors, solely for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatever; provided, that said city, or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, for purposes consistent with the trusts upon which said lands are held by the State of California and with the requirements of commerce or navigation at said harbor, for a term not exceeding 25 years, and on such other terms and conditions as said city may determine, including a right to renew such lease or leases for a further term not exceeding 25 years or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases, and said lease or leases may be for any and all purposes which shall not interfere with navigation or commerce, with reversion to the said city on the termination of such lease or leases of any and all improvements thereon, and on such other terms and conditions as the said city may determine, but for no purpose which will interfere with navigation or commerce; subject also to a reservation in all such leases or such wharfing out privileges of a street, or of such other reservation as the said city may determine for sewer outlets, and for gas and oil mains, and for hydrants, and for electric cables and wires, and for such other conduits for municipal purposes, and for such public and municipal purposes and uses as may be deemed necessary by the said city; provided, however, that each person, firm or corporation or their heirs, successors or assigns now in possession of land or lands abutting on said lands, within the boundaries of the City of San Mateo, shall have a right to obtain a lease for a term of 25 years from said city of said land and wharfing out privileges therefrom with a right of renewal for a further term of 25 years pursuant to the provisions of this act and on such terms and conditions as said city may determine and specify, subject to the right of said city to terminate said lease at the end of the first 25 years or refuse to renew the same, or to terminate the lease so renewed during the term of such renewed lease on such just and reasonable terms for compensation for improvements at the then value of said improvements as said city may determine and specify. Upon obtaining such lease and wharfing out privileges such person, firm or corporation, their heirs or assigns, shall quitclaim to said city any right they or any of them may claim or have to the said lands hereby granted. This grant shall carry the right to such city of the rents, issues and profits in any manner hereafter arising from the lands or wharfing out privileges hereby granted. The State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California. No discrimination in rates, tolls

or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors in the management, conduct or operation of any of the utilities, structures or appliances mentioned in this section There is hereby reserved in the people of the State of California the right to fish in the waters on which said lands may front with the right of convenient access to said waters over said lands for said purpose.

SEC 2. The foregoing conveyance is made upon the condition that the City of San Mateo shall, within five years from the time this act shall go into effect, exclusive of such time as said city may be restrained from so doing by injunction issued out of any court of this State or of the United States, and exclusive of such further delay as may be caused by unavoidable misfortune or great public or municipal calamity, issue its bonds for harbor improvement purposes, in an amount of money of not less than $100,000, and shall within five years after this act shall go into effect, exclusive of the time in this section hereinbefore mentioned, commence the work of such harbor improvement, and the said work and improvement shall be prosecuted with such diligence, that not less than $100,000 shall be expended thereon, within five years from the time this act shall go into effect, exclusive of the time in this section hereinbefore mentioned. If said bonds be not issued, or said work be not prosecuted and completed as, and in the manner herein provided, then the lands by this act conveyed to the City of San Mateo, shall revert to the State of California

ASSEMBLY BILL No. 913

CHAPTER 245

An act granting to the City of San Mateo the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom, and grant franchises and leases thereon, and regulating the management, use and control thereof, and authorizing suits against said city and the State to quiet title to any such lands, and regulating the procedure therein and conditions under which said suits may be brought.

[Approved by the Governor May 8, A D. 1933]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of San Mateo, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all the salt marsh, tide and submerged lands whether filled or unfilled, within the present boundaries of said city, and situated below the line of mean high tide of the Pacific Ocean, or of any harbor, estuary, bay or inlet within said boundaries, to be forever held by said city, and by its successors, in trust for the uses and purposes, and upon the express conditions following, to wit: That said lands shall be used by said city and its successors, solely for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey,

give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatever; provided, that said city, or its successors, may grant franchises thereon for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods for purposes consistent with the trusts upon which said lands are held by the State of California and with the requirements of commerce or navigation at said harbor, for a term not exceeding 25 years, and on such other terms and conditions as said city may determine, including a right to renew such lease or leases for a further term not exceeding 25 years or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases, and said lease or leases may be for any and all purposes which shall not interfere with navigation or commerce, with reversion to the said city, on the termination of such lease or leases of any and all improvements thereon, and on such other terms and conditions as the said city may determine, but for no purpose which will interfere with navigation or commerce; subject also to a reservation in all such leases or such wharfing out privileges of a street, or of such other reservation as the said city may determine for sewer outlets, and for gas and oil mains, and for hydrants, and for electric cables and wires, and for such other conduits for municipal purposes, and for such public and municipal purposes and uses as may be deemed necessary by the said city; provided, however, that each person, firm or corporation or their heirs, successors or assigns now in possession of land or lands abutting on said lands, within the boundaries of the City of San Mateo, shall have the right to obtain a lease for a term of 25 years from said city of said land and wharfing out privileges therefrom with a right of renewal for a further term of 25 years pursuant to the provisions of this act and on such terms and conditions as said city may determine and specify, subject to the right of said city to terminate said lease at the end of the first 25 years or refuse to renew the same, or to terminate the lease so renewed during the term of such renewed lease on such just and reasonable terms for compensation for improvements at the then value of said improvements as said city may determine and specify. Upon obtaining such lease and wharfing out privileges such person, firm or corporation, their heirs or assigns, shall quitclaim to said city any right they or any of them may claim or have to the said lands hereby granted. This grant shall carry the right to such city of the rents, issues and profits in any manner hereafter arising from the lands or wharfing out privileges hereby granted. The State of California shall have at all times the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands or any part thereof, for any vessel or other water craft or railroad owned or operated by the State of California. No discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors in the management, conduct or operation of any of the utilities, structures or appliances mentioned in this section. There is hereby reserved in the people of the State of California the right to fish in the waters on which said lands may front with the right of convenient access to said waters over said lands for said purpose. This grant is without prejudice to the rights of any person, firm or corporation who may claim title to any such land or lands by virtue of any sale thereof under the provisions

of the following act, to wit: An act entitled "An act to provide for the management and sale of lands belonging to the State," approved March 28, 1868, or under the provisions of the act entitled "An act to provide for the sale of certain lands belonging to the State," approved April 27, 1863, where full payment has been made therefor and no patent has been made or delivered by or on behalf of the State of California, or where the patent from the State of California therefor has been lost or destroyed, and was never recorded in the office of the county recorder of San Mateo County, or where relief has been granted to a purchaser or purchasers under the provisions of an act entitled "An act for the relief of purchasers of state lands," approved March 27, 1872; and any such person, firm or corporation is hereby authorized to bring suit against the said City of San Mateo and the State of California in any court of competent jurisdiction in said State, to quiet title to said land, or any portion thereof, and to prosecute the same to final judgment. In any case where such full payment has been made, or in any case where relief has been granted under the provisions of said act approved March 27, 1872, the title of the plaintiff may be quieted against the said City of San Mateo and the State of California in and by such judgment, whether or not any such patent has been made or delivered; provided, however, that it shall first appear that all taxes levied against such property during the 30 years next preceding the commencement of the action, have been fully paid.

SEC 2. All the provisions and rules of law relating to suits to quiet title and appeals therein shall apply to such suits as may be brought under this act. If judgment be given against the State in any such suit, no costs shall be allowed against the State.

SEC. 3. Any such suits to quiet title shall be commenced within one year after this act takes effect.

SEC. 4. Service of summons on the State in such suits shall be made on the Surveyor General and the Attorney General.

SEC 5. There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in the land granted by this act and there is also reserved to the State of California or persons authorized by the State, the right to prospect for, mine and remove such deposits from said land.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF SAN MATEO

OFFICE OF THE
CITY MANAGER
CITY ENGINEER

CITY OF SAN MATEO
CALIFORNIA

August 30, 1948

RALPH C. DILLS, *Chairman*
Interim Committee on Petroleum Problems
Sacramento, California

DEAR MR DILLS: Mayor Creed Haberlin has asked this office to reply to your questionnaire, dated July 26, 1948, relative to tidelands and submerged and reclaimed lands, lying within the city, which have been deeded to the city by the State of California. We will answer the questions in numerical order as they are listed on the questionnaire:

1. The City Manager, City of San Mateo, is the officer charged with the duty of administering tidelands and submerged lands that have been granted by the State. The city has deed to approximately 1,300 acres which were deeded to the city in 1930. Over 1,200 acres are located in the San Francisco Bay, and are under water at the present time.
2. A portion of this acreage is being utilized at the present time as a municipal dump and approximately 4½ acres have been reclaimed to this date by "dump refuse" fill.
3. Approximately $1,000 has been expended for the improvement of this area, the major portion of the expenditure being for fencing.
4. No additional improvements have been made pursuant to franchises or leases.
5. No leases or franchises are in effect at the present time.
6. The total annual revenue received is $600 from the City of Hillsborough, which has been authorized to use the dumping facilities.
7. No individual or corporation occupies these lands at the present time.
8. The City of San Mateo has not been divested of title or right of possession for any reason.
9. No judicial proceedings have been commenced affecting title, nor have any judgments been rendered.

We trust this information will be of help to your committee.

Very truly yours,

ARTHUR B. SULLIVAN
City Manager
By: F. W. SHARP
Assistant Manager

ANALYSIS OF THE REPLY OF THE CITY OF SAN MATEO

The reply of the City of San Mateo indicates a substantial compliance with the conditions of the statutes of grant and with the trust under which the granted lands are held. While no extensive use has been made of the granted lands, the reply is satisfactory in all particulars except that concerning the revenues from such lands. The purposes for which the revenues from the granted lands are expended are not stated

Conclusion The committee should examine the purposes for which revenues from the granted lands are expended, in order to determine whether such purposes constitute an unauthorized use and administration of such lands.

CITY OF SAN RAFAEL

SENATE BILL No. 237

CHAPTER 83

An act granting to the City of San Rafael the salt marsh, tide and submerged lands of the State of California, within the present boundaries of said city, including the right to wharf out therefrom, and regulating the management, use and control thereof.

[Approved May 2, 1923]

The people of the State of California do enact as follows:

SECTION 1 There is hereby granted to the City of San Rafael, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all the salt marsh, tide and submerged lands, whether filled or unfilled, within the present boundaries of said city, and situated below the line of mean high tide of the Pacific Ocean, or of any harbor, estuary, bay or inlet within said boundaries, to be forever held by said city, and by its successors in trust for the uses and purposes, and upon the express conditions following, to wit:

That said lands shall be used by said city and its successors, solely for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, ships, quays, and other utilities, warehouses, factories, storehouses, structures and appliances necessary or convenient for the promotion, benefit and accommodation of commerce and navigation, and said city, or its successors, shall not, except as herein authorized, at any time, grant, convey, give, or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatever; provided, that said city, or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, for purposes consistent with the trusts upon which said lands are held by the State of California and this grant, for a term not exceeding 50 years, and on such other terms and conditions as said city may determine, including a right to renew such lease or leases for a further term not exceeding 25 years, or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases, and said lease or leases may be for any and all purposes which shall not interfere with navigation or commerce.

The State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft or railroad, owned or operated by the State of California

That in the operation, management or conduct of said harbor, or of any wharves, docks, piers, slips, quays or property or any improvements constructed or operated on said lands, no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

There is hereby reserved in the people of the State of California the right to fish in the waters on which said lands may front with the right of convenient access to said waters over said lands for said purposes, such enjoyment of access and right to fish to be regulated by ordinance of the City of San Rafael, so as not to interfere, obstruct, retard, or limit the right of navigation or the right of lessees or licensees under lease or license given.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF SAN RAFAEL

ROBERT F. AUSTIN
MAYOR

COUNCILMEN
HARRY ALBERT
PHILIP F. BROWN
EDWARD CULVER
HOMER H. WOOD

R. A. BOEGE
CITY MANAGER AND ENGINEER

CITY OF SAN RAFAEL
CALIFORNIA
TELEPHONE 800

E. W. SMITH
CITY CLERK AND ASSESSOR

C. C. WEBB
CITY TREASURER AND TAX COLLECTOR

JORDAN L. MARTINELLI
CITY ATTORNEY

FRED J. SCHEUER
FIRE CHIEF

August 28, 1948

RALPH C. DILLS
State Capitol
Sacramento 14, California

DEAR SIR: Your letter of July 26, 1948, addressed to the ex-Mayor William S. Nook has been referred to this office for reply.

The following are the answers to your questionnaire regarding tidelands and submerged lands granted by the State:

1. The City Council is charged with the duty of administering tidelands and submerged lands that have been granted by the State.
2. No action has been or is being taken for the development and improvement of the granted lands.
3. No public funds have been expended for such purposes.
4. No improvements have been made pursuant to franchises or leases.
5. The "goose neck" canal lease is the only lease of such lands currently in effect.
6. No annual revenues are received from this lease.
7. The "goose neck" lease includes a very small portion of the total area of granted lands.
8. The City of San Rafael has not been divested of title or right to possession of any of the granted lands by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise.

9. No judicial proceedings have been commenced against our local agency affecting title or right to possession of any such granted lands.

Respectfully submitted,

R. A. BOEGE
City Manager

ANALYSIS OF THE REPLY OF THE CITY OF SAN RAFAEL

The reply of the City of San Rafael is largely self-explanatory. There has been no compliance with the intents, purposes, and conditions of the statute of grant. The report is not clear regarding the so-called "goose neck" canal lease. No reason is given for the statement that no revenues are derived from that lease.

Conclusion. The committee should investigate the matter of the so-called "goose neck" canal lease and the reasonable rental value of the granted land subject thereto. The committee's recommendation in situations of this type, involving lack of compilance with the intents, purposes, and conditions of the statute of grant, is contained in the recommendations of the committee set forth at the conclusion of this report.

CITY OF RICHMOND

Senate Bill No. 1765

CHAPTER 317

An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Francisco and the Bay of San Pablo to the City of Richmond in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

[Approved June 11, 1913]

WHEREAS, Since the admission of California into the Union, all tidelands along the navigable waters of this State and all lands lying beneath the navigable waters of the State have been and now are held in trust by the State for the benefit of all the inhabitants thereof for the purpose of navigation, commerce, and fishing; and

WHEREAS, It is the duty of the State to govern, administer and control such lands and to improve and develop navigation, commerce, and fishing thereon and thereover; and

WHEREAS, The State has not the general power of alienation of such lands, but may, when the interests of commerce, navigation, and fishing require it, convey to municipalities limited and defined areas of such lands with the power to govern, control, improve and develop the same in the interests of all of the inhabitants of the State; and

WHEREAS, The conveyance to the City of Richmond of the lands hereinafter described, together with the right to govern, control, improve and develop the same will result in great advantage and benefit to all the inhabitants of the State, it is provided; therefore

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted and conveyed to the City of Richmond in the County of Contra Costa, in the State of California, all the lands situate on the City of Richmond side of the Bay of San Francisco and the Bay of San Pablo, lying and being between the line of mean high tide and the line of mean low tide as the same has been or may be hereafter established between the prolongation into the Bay of San Pablo of the north boundary line of the said City of Richmond and the prolongation into the Bay of San Francisco of the southerly boundary line of the City of Richmond.

SEC. 2. The City of Richmond shall have and there is hereby granted to it the right to make upon said premises all improvements, betterments and structures of every kind and character, proper, needful and useful for the development of commerce, navigation, and fishing, including the construction of all wharves, docks, piers, slips, and the construction and operation of a municipal belt line railroad in connection with said dock system.

SEC. 3. (No grant, conveyance or transfer of any character shall ever be made by the City of Richmond of the lands described in paragraph 1, or of any part thereof, but the said city shall continue to hold said lands and the whole thereof unless the same revert or be receded to the State of California. The Harbor of Richmond shall remain always a public harbor and the said city shall never charge or permit to be charged on any of the premises by this act conveyed any unreasonable rate or toll, nor make nor suffer to be made any unreasonable charge, burden or discrimination. In the event of a violation of any of the provisions of this act the said lands and the whole thereof shall revert to the State of California.)

SEC. 4. The City of Richmond may lease for a term not exceeding 25 years any wharves, docks or piers constructed by it, and all such leases so executed shall reserve to the council of the City of Richmond the right and privilege, by ordinance to annul, change or modify such leases as in its judgment may seem proper. The aggregate amount of all wharves, docks and piers so leased by said city shall never exceed 50 percent of all of the wharves, docks and piers actually constructed.

SEC. 5. The City of Richmond may lease not to exceed an aggregate of 50 percent of the lands conveyed to it by this act, for a term not to exceed 25 years and upon which wharves, docks or piers have not been actually constructed and no such lease shall be for a larger area than 40 acres, and such leases shall not be assignable or transferable, nor shall any lessee have the right to sublet the leased premises or any part thereof except by the consent of the city council of said City of Richmond set forth in an order of said city council and all such leases so executed shall reserve to the council of the City of Richmond the right and privilege, by ordinance to annul, change or modify such leases as in its judgment may seem proper.

SEC. 6. The foregoing conveyance is made upon the condition that the City of Richmond shall, within 12 months from the approval of this act, exclusive of such times as said city may be restrained from so doing by an injunction issued out of any court of this State or of the United

States, and exclusive of such further delay as may be caused by unavoidable misfortune or great public or municipal calamity, issue its bonds for harbor improvement purposes in an amount of not less than $250,000, and shall, within 18 months after the approval of this act, exclusive of the time in this section hereinbefore mentioned, commence the work of such harbor improvement, and the said work and improvement shall be prosecuted with such diligence that not less than $250,000 shall be expended thereon within three years from the approval of this act exclusive of the time in this section hereinbefore mentioned. The said harbor improvement work shall be so done and performed that accommodation will be furnished and maintained for ocean-going vessels and a depth of water shall be obtained and maintained at the piers of not less than 20 feet.

If said bonds be not issued or said work be not prosecuted and completed as and in the manner herein provided, then the lands by this act conveyed to the City of Richmond shall revert to the State of California.

SEC. 7. The State hereby reserves unto itself at all times, the reasonable use of and access to all wharves, docks, piers, slips and quays hereafter constructed under the provisions of this act, for any vessel or water craft owned, leased or operated by the State.

SEC. 8. The City of Richmond shall in the name of the State of California have and is hereby granted the power and authority to maintain and prosecute to final judgment in any court of the State or United States in which jurisdiction may be vested any and all actions necessary to recover possession, from any private persons, partnerships or corporations all or any part of the lands granted in Section 1 hereof.

ASSEMBLY BILL No. 498

CHAPTER 89

An act authorizing the City of Richmond to lease certain tide and submerged lands heretofore granted by the State of California to said city in trust.

[Approved April 22, 1919]

The people of the State of California do enact as follows:

SECTION 1. The City of Richmond, a municipal corporation of the State of California, is hereby authorized and empowered to lease and let unto the Atchison, Topeka and Santa Fe Railway Company, its successors and assigns, for the term of 99 years from and after the first day of January, 1919, the following described premises:

Beginning at the intersection of the official bulkhead line with the southwestern line of tideland lot number thirty-one in section twenty-two, township one north, range five west, Mount Diablo meridian, in the County of Contra Costa, State of California, said intersection being near the southwest corner of said tideland lot number thirty-one; thence south sixty-one degrees forty-five minutes east, eight hundred ninety-four and fifty-two hundredths feet, more or less, along the southwestern line of said tideland lot number thirty-one and tideland lot number thirty-two in said section to an angle point in the boundary line of said tideland lot number thirty-two; thence south fourteen degrees west, along the western boundary of said tideland lot number thirty-two a distance of three hundred fifty-six and four-tenths feet to station three hundred thirty-six of

the exterior boundary of Rancho San Pablo; thence southerly and easterly, along said exterior boundary line, to station three hundred forty-four of said rancho boundary line, said last station being at the most western corner of tideland lot number twenty-five and one-half in section twenty-three, said township and range; thence southeasterly one hundred sixty-six and fifty-three hundredths feet, more or less, along the southwestern line of said tideland lot number twenty-five and one-half and of tideland lot number eight in section twenty-six, said township and range, to a point one hundred thirty feet westerly measured at right angles, from the western line of the sixty foot municipal highway known as Garrard Boulevard; thence southerly, parallel with said western line of Garrard Boulevard and its prolongation, three hundred nineteen and sixteen hundredths feet, more or less, to said official bulkhead line; thence westerly and northerly, along said bulkhead line, to the place of beginning, in accordance with and upon the considerations, terms, and conditions of that certain contract made and entered into between the said city and the said railway company dated May 1, 1918, and on file in the office of the clerk of said city, and the covenants, conditions and terms of such lease shall bind the parties thereto, their successors and assigns, and the State of California.

SENATE BILL No. 424

CHAPTER 379

An act granting to the City of Richmond and its successors certain salt marsh, tide and submerged land of the State of California, including the right to wharf out therefrom and grant franchises and leases thereon and regulating the management, use and control thereof, also including the right of said city to collect the rents, issues and profits in any manner hereafter arising from the lands or wharf-out privileges hereby granted.

[Approved by the Governor July 5, A D. 1935]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Richmond, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California held by said State by virtue of its sovereignty in and to all the salt marsh, tide and submerged lands, whether filled or unfilled, and situated below the line of mean high tide of the Pacific Ocean or of any harbor, estuary, bay or inlet within the areas described as follows:

Parcel 1. All of the said salt marsh, tide and submerged lands lying west of the prolongation northerly of the westerly line of section three, township one north, range five west, Mount Diablo base and meridian, to the city limits of said City of Richmond, and northerly of a line drawn from a point on the line of mean high tide westerly to the city limits of said City of Richmond, six hundred sixty feet southerly from, and parallel to, the prolongation westerly of the center line of section five of said township and range, to the city limits of said City of Richmond.

Parcel 2. All of the salt marsh, tide and submerged lands lying between the prolongations westerly to the city limits of said City of

Richmond on the northerly and southerly lines of section nine, township one north, range five west, Mount Diablo base and meridian;

To be forever held by said city and its successors, in trust for the uses and purposes and upon the conditions and subject to the reservations following, to wit:

(a) That said lands shall be used by said city, and its successors, only for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities or plants, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation; and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, nevertheless, that said city, or its successors, may grant franchises thereon for limited periods (in no event exceeding 50 years) for wharves or other public uses and purposes, and may lease said lands, or any part thereof, for limited periods (in no event exceeding 50 years) for purposes consistent with the trust upon which said lands are held by the State of California and with the requirements of commerce and navigation at said harbor, and may renew any such lease or leases for a further term not exceeding 25 years or may terminate the same upon such conditions and provisions as may be stipulated in such lease or leases This grant shall carry the right to such city of the rents, issues and profits in any manner hereafter arising from the lands, wharves, or privileges hereby granted.

(b) That the improvement of said harbor by said city shall be without expense to the State; that said harbor shall always remain a public harbor for all purposes of commerce and navigation, and said city shall never charge or permit to be charged on any of said lands any unreasonable rate or toll, nor make nor suffer to be made any unreasonable charges, burden or discrimination.

(c) The State of California hereby reserves unto itself, at all times, the reasonable use of and access to all wharves, docks, piers, slips and quays hereafter constructed under the provisions of this act, for any vessel or water craft owned, leased or operated by the State.

(d) There is hereby reserved in the people of the State of California the absolute right to fish in the waters of said harbor, with the right of convenient access to said waters over said lands for said purpose.

(e) There is excepted and reserved to the State of California all deposits of mineral, including oil and gas, in said lands

(f) This grant is made subject to the rights of any and all persons under any title derived from the State of California in or to any part of said lands.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF RICHMOND

City of Richmond

CALIFORNIA

OFFICE OF
EDWARD A HOFFMAN
DIRECTOR OF PUBLIC WORKS
CITY ENGINEER AND
SUPERINTENDENT OF STREETS

March 23, 1951

MR. G. DELBERT MORRIS, *Assemblyman*
Chairman, Interim Committee on Petroleum Problems
State Capitol, Sacramento 14, California

DEAR SIR: Your letter dated February 19th, 1951, addressed to Mayor Bradley of the City of Richmond requesting response to a questionnaire prepared by the Assembly Interim Committee on Petroleum Problems has been referred to this office for reply.

Since incorporation of the City of Richmond (1905), the city has received only two grants of tidelands or submerged land from the State of California. The first of these grants approved by the Legislature under date of June 11, 1913, is of no significance to the city: first, because it conveys only those lands which lie between the line of mean high tide and the line of mean low tide; and second, practically 100 percent of the tideland involved had previously been conveyed by the State to private owners. Reference is made to Tideland Commissioner's Map No. 1 of the Salt Marsh and Tidelands in Contra Costa County, on file with the Division of State Lands at Sacramento.

The second grant, obtained in 1947 (Senate Bill No. 424), covers navigable submerged land adjacent to Point San Pablo at the northwest extremity of the city. The latter is of value to the city only in that it provides undisputed access to dock facilities known as Pier 4 and to certain fish reduction plants, etc.

With particular reference to the questionnaire prepared by your Interim Committee, please be advised as follows:

1. The city manager is charged with responsibility to administer tideland negotiations.
2. The above-mentioned grant of June 11, 1913, actually gave the city title to little or nothing because the State had already sold tidelands to provate individuals Submerged land at Pier 4, covered by grant of 1947, has not ben improved other than the repair, maintenance and altertaion of dock facilities adjacent to the submerged lands which are navigable and accommodate deep water berthing alongside docks.
3. Public funds expended for improvement of deep water submerged lands has been negligible. Maintenance dredging has from time to time been carried on alongside docks.
4. Existing docks adjacent to Pier 4 have been repaired from time to time.
5. Pier 4 has been leased to Parr-Richmond Terminal Corporation since 1926 for terminal transfer operations.

6. Annual revenue from Pier 4 averages less than $6,000, a portion of which may be ascribed to revenue from submerged lands by virtue of the fact that a portion of dock facilities encroaches beyond U. S. Bulkhead Line. A nominal revenue is also received from Pier 1, a portion of which extends beyond original "Tidelots Line."
7. At Pier 1 of the Inner Harbor of the City of Richmond, the Parr-Richmond Corporation occupies and utilizes transit shed and dock familities , a small portion of which occupies tideland. The city is presently negotiating with the State for a grant to cover the latter occupancy.
8. The City of Richmond has not been divested of any right of possession or title to granted lands.
9. No judicial proceedings have been initiated against the City of Richmond affecting title or right of possession of granted lands. There have never been any oil drilling operations carried on in the City of Richmond.

Very truly yours,

EDWARD A HOFFMAN
Director of Public Works
City of Richmond

ANALYSIS OF THE REPLY OF THE CITY OF RICHMOND

The reply of the City of Richmond indicates substantial compliance with the terms of the statutes of grant, although the answers to Questions 3, 4, and 5 infer that such compliance is not to the full extent that the best interests of the city should require The purposes to which revenue from the granted lands are applied are not disclosed.

Conclusion. The reply of the City of Richmond is unsatisfactory, and further investigation by the committee is required, only in the following particulars: There is a possibility of failure substantially to comply with the intents and purposes of the statutes of grant, and more adequate and complete information is needful regarding leasing of the granted lands and the purposes to which revenues therefrom are applied. Such further investigation will enable the committee to report to the Assembly on the advisability of reacquisition of the granted lands to protect the paramount interests of the State of California and the general public in such granted lands and the trusts under which they are held.

CITY OF SANTA BARBARA

CHAPTER 78

An act granting certain tidelands and submerged lands of the State of California to the City of Santa Barbara, subject to certain trusts.

[Approved by the Governor April 16, 1925]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted and conveyed to the City of Santa Barbara, a municipal corporation in the County of Santa Barbara, State of California, all the right, title and interests of the State of California, held by said State by virtue of its sovereignty, in and to all the tidelands and submerged lands (whether filled or unfilled), situated in and upon that portion of the Pacific Ocean known as Santa Barbara Channel in said county and lying between the line of mean high tide and the pier head line in said bay, as the same has been or may hereafter be established by the Federal Government, and between the prolongation of the west boundary line of the City of Santa Barbara into the Pacific Ocean and the prolongation of the east boundary line of the said City of Santa Barbara into the said Pacific Ocean; to be forever held by said City of Santa Barbara in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands shall be used by said city for the establishment, improvement and conduct of the harbor and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion of commerce and navigation and fisheries and for the establishment and maintenance of bath houses and bathing facilities necessary or convenient for the inhabitants of said city, and said city shall not at any time grant, convey, give or alien said lands or any part thereof to any individual, firm or corporation for any purpose whatsoever; provided, that said city may grant franchises thereon for wharves and other public uses and purposes, and may lease said lands or any part thereof for a period not exceeding 25 years for purposes consistent with the trust upon which said lands are held by the State of California, and with the requirements of commerce or navigation of said harbor;

(b) That said harbor shall be improved by said city without expense to the State of California, and it shall always remain a public harbor for all purposes of commerce, navigation, and the State of California shall have at all times the right to use without charge all wharves, docks, piers, slips, quays and other improvements constructed on said land or any part thereof for any vessel or other water craft or railroad, owned and operated by the State of California;

(c) That in the management, conduct or operation of said harbor or of any of the utilities, structures or appliances mentioned in paragraph (a) no discrimination in rates, tolls or charges in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city.

Reserving, however, for the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands for said purpose.

ASSEMBLY BILL No. 1539

CHAPTER 846

An act granting certain tidelands and submerged lands of the State of California to the County of Santa Barbara in said State upon certain trusts and conditions.

[Approved by the Governor June 12, 1931]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the County of Santa Barbara, and to its successors all of the right, title and interest of the State of California held by said State by virtue of its sovereignty in and to all that portion of the tidelands and submerged lands extending from Sandy Land Point to Rincon Creek in the County of Santa Barbara, to be forever held by Santa Barbara County and by its successors in trust for the uses and purposes and upon the express conditions following, to wit:

(a) Said lands shall be used by said county and by its successors solely for the establishment, improvement and conduct of a harbor and for the establishment and construction of bulkheads or breakwaters for the protection of lands within its boundaries, or for the protection of its harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, ways and streets, and other utilities, structures and appliances necessary or convenient for the promotion or accommodation of commerce and navigation, and the protection of the lands within said county. And said county or its successors shall not at any time grant, convey, give or alien said lands or any part thereof to any individual, firm, or corporation for any purposes whatever But the county or its successors may grant franchises thereon for a period not exceeding 50 years for wharves and other public uses and purposes, and may lease said lands or any part thereof for a period not exceeding 50 years for purposes consistent with the trust upon which said lands are held by the State of California, and with the requirements of commerce or navigation at said harbor.

(b) Said harbor shall be improved by said county without expense to the State and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have at all times the right to use, without charge, all wharves, docks, piers, slips, quays, and other improvements constructed on said lands or any part thereof for any vessel or other water craft or railroad owned or operated by the State of California.

(c) In the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances mentioned in paragraph (a) no discrimination in rates, tolls or charges, or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said county, or by it ssuccessors. The absolute right to fish in the waters of said harbor with the right of convenient access to said water over said lands for said purpose is hereby reserved to the people of the State of California.

(d) That there is excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said land, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from said land.

ASSEMBLY BILL No. 1169

CHAPTER 13

An act to add Sections 2 and 3 to an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Santa Barbara, subject to certain trusts," approved April 16, 1925, relating to tidelands and submerged lands, granting additional lands to the City of Santa Barbara, expressing the trusts and restrictions imposed thereon, releasing certain lands from trusts and restrictions heretofore imposed, and authorizing the conveyance of certain lands to the State, and declaring the urgency thereof, to take effect immediately.

[Approved by the Governor January 29, A D 1937]

The people of the State of California do enact as follows:

SECTION 1. A new section is hereby added to the act cited in the title hereof, to be numbered Section 2 and to read as follows:

SEC. 2 All of the following described property, to wit: All reclaimed or filled lands or lands formed by accretions due to artificial obstructions lying within the City of Santa Barbara and seaward of the mean high tide line of the Pacific Ocean, as the same existed on April 16, 1925, and bounded on the seaward side by the mean high tide line of the Pacific Ocean now existing and extending easterly from Santa Barbara Point to a point on the easterly city limits line where said line intersects the mean high tide line of the Pacific Ocean; which was formerly tidelands and submerged lands, is hereby declared to have ceased to be tidelands, and submerged lands, and to be free from all trusts and restrictions imposed on said lands under and by any of the provisions of this act except that said city or its successors, shall not at any time grant, convey, give or alien said lands or any part thereof, to any individual, firm, or corporation for any purpose whatsoever; provided, however, that the City of Santa Barbara, or its successors, may use, lease, rent, or otherwise let said lands, in parcels not to exceed 10 acres to any one person, firm or corporation and for limited periods not to exceed 25 years, with the right of the city to renew the same for any and all purposes which shall not interfere with the use of the tidelands of the Santa Barbara Channel lying seaward of said lands. If, during such lease, rental or other holding, such holding shall interfere with the use of any of the tidelands of Santa Barbara Channel lying seaward of said property for navigation, commerce and fisheries, or in any manner become inconsistent with the trusts under which said tidelands are held by said city, the city shall have the right to terminate such holding and compensate such holder for the loss incurred, not exceeding an amount to be agreed upon by the terms of the lease or other holding. There is hereby granted and conveyed to the City of Santa Barbara, a municipal corporation, and to its successors, all right, title and interest of the State of California in and to the reclaimed or filled lands or lands formed by accretions due to artificial obstructions hereinbefore in this section described, subject only to the restrictions and conditions contained in this section; except that, notwithstanding anything contained in this act, the City of Santa Barbara is hereby auhorized to convey to the State of California that part of said reclaimed or filled lands or lands formed by accretions, to wit: Commencing at the most southerly end of the 14th course, as given in a description of that certain

real property described in a deed to Thos. B. Dibblee dated December 16, 1876, and recorded in Book "R" at page 98 of Deeds of Santa Barbara County records; thence S. 57° 19′ 20″ E. 406 18 feet to point of intersection of a curve to the left having a radius of 170 feet, a delta of 56° 25′, the long chord of which bears S. 85° 31′ 50″ E. 160.71′ said curve being the first course as described in Parcel 5 in a deed from the State of California to the City of Santa Barbara dated August 15, 1934, and recorded in Book 314 of Official Records at page 460 of Santa Barbara County records; thence N. 66° 15′ 40″ E. along the semitangent of said curve 91.18 feet to the end thereof; thence N. 63° 16′ 40″ E. 122.25 feet to the true point of beginning; thence N. 69° 20′ 40″ W. 735.00 feet; thence N. 20° 39′ 20″ W. 355.00′ to point of beginning; upon the condition that the said property shall be improved by the erection and construction thereon of an athletic field and stadium for Santa Barbara State College, costing not less than fifty thousand dollars, within three years after the date of such conveyance, and such conveyance may provide for the forfeiture of title to said lands to said city in the event said condition is not complied with and also in the event that the use of said property as an athletic field for such state college shall ever be discontinued by the State, for a period as long as one year.

SEC. 2. A new section is hereby added to said act, to be numbered Section 3, to read as follows:

SEC. 3. There is hereby granted and conveyed to the City of Santa Barbara, a municipal corporation, of the State of California, and to its successors, all of the right, title and interest of the State of California held by said State by virtue of its sovereignty in and to all the tidelands and submerged lands bordering upon and lying below the Pacific Ocean which are within the corporate limits of said city and seaward of the mean high tide line of the Pacific Ocean as the same now exists, to be forever held by said city and by its successors, in trust for the uses and purposes set forth in subdivision a of Section 1 of this act, and provided that said trusts are hereby extended to permit the use of said lands for public park, parkway, highway or playground.

There is hereby reserved however for the people of the State of California an absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands. There is hereby further excepted and reserved to the State of California all deposits of minerals, including oil and gas, in the lands granted by this act.

SEC. 3. This act is hereby declared to be an urgency measure within the meaning of Section 1 of Article IV of the Constitution, necessary for the immediate preservation of the public peace, health and safety, and shall therefore take effect immediately.

The following is the statement of facts constituting such necessity:

It is intended that there shall be erected and constructed on certain of the lands referred to in this act to be conveyed by the City of Santa Barbara to the State, an athletic field and stadium for Santa Barbara State College, and it is necessary that the lands be conveyed as soon as possible in order that work may be commenced promptly so that this athletic field and stadium will be available for use during the fall semester of the present year. The prompt completion of an adequate athletic plant at Santa Barbara State College will be of substantial benefit both to the students at the college and to the residents of the City of Santa Barbara.

ASSEMBLY BILL No. 2845

CHAPTER 365

An act to amend Section 2 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Santa Barbara, subject to certain trusts," approved April 16, 1925, as amended, relating to tidelands and submerged lands, granting additional lands to the City of Santa Barbara, expressing the trusts and restrictions imposed thereon, releasing certain lands from trusts and restrictions heretofore imposed, and authorizing the conveyance of certain lands to the State, and declaring the urgency thereof, to take effect immediately.

[Approved by the Governor May 24, A.D. 1937]

The people of the State of California do enact as follows:

SECTION 1. Section 2 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 2. All of the following described property, to wit: All reclaimed or filled lands or lands formed by accretions due to artificial obstructions lying within the City of Santa Barbara and seaward of the mean high tide line of the Pacific Ocean, as the same existed on April 16, 1925, and bounded on the seaward side by the mean high tide line of the Pacific Ocean now existing and extending easterly from Santa Barbara Point to a point on the easterly city limits line where said line intersects the mean tide line of the Pacific Ocean; which was formerly tidelands and submerged lands, is hereby declared to have ceased to be tidelands, and submerged lands, and to be free from all trusts and restrictions imposed on said lands under and by any of the provisions of this act except that said city or its successors, shall not at any time grant, convey, give or alien said lands or any part thereof, to any individual, firm, or corporation for any purpose whatsoever; provided, however, that the City of Santa Barbara, or its successors, may use, lease, rent, or otherwise let said lands, in parcels not to exceed 10 acres to any one person, firm or corporation and for limited periods not to exceed 25 years, with the right of the city to renew the same for any and all purposes which shall not interfere with the use of the tidelands of the Santa Barbara Channel lying seaward of said lands. If, during such lease, rental or other holding, such holding shall interfere with the use of any of the tidelands of Santa Barbara Channel lying seaward of said property for navigation, commerce and fisheries, or in any manner become inconsistent with the trusts under which said tidelands are held by said city, the city shall have the right to terminate such holding and compensate such holder for the loss incurred, not exceeding an amount to be agreed upon by the terms of the lease or other holding.

There is hereby granted and conveyed to the City of Santa Barbara, a municipal corporation, and to its successors, all right, title and interest of the State of California in and to the reclaimed or filled lands or lands formed by accretions dut to artificial obstructions hereinbefore in this section described, subject only to the restrictions and conditions contained in this section; except that, notwithstanding anything contained in this act, the City of Santa Barbara is hereby authorized, notwithstanding any law to the contrary, to lease to the State of California for a period

of not to exceed 99 years, or to convey to the State of California, that part of said reclaimed or filled lands or lands formed by accretions, to wit: Commencing at the most southerly end of the 14th course, as given in a description of that certain real property described in a deed to Thos. B. Dibblee dated December 16, 1876, and recorded in Book "R" at page 98 of Deeds of Santa Barbara County records; thence S. 57° 19′ 20″ E. 406.18 feet to the point of intersection of a curve to the left having a radius of 170 00 feet, a delta of 56° 25′, the long chord of which bears S. 85° 31′ 50″ E. 160.71 feet, and curve being the first course as described in Parcel 5 in a deed from the State of California to the City of Santa Barbara, dated August 15, 1934, and recorded in Book 314 of the official records at page 460 of Santa Barbara County records; thence N. 66° 15′ 40″ E. along the semitangent of said curve 91.18 feet to the end thereof; thence N. 58° 21′ 34″ E. 67.80 feet to the true point of beginning; said point of beginning being a point on the line of ordinary high water mark of the Pacific Ocean as given in a deed to Thos. B. Dibblee dated December 16, 1876, herein first above mentioned; thence S. 20° 39′ 20″ E. 355 00 feet to a point; thence N. 69° 20′ 40″ E. 735.00 feet to a point; thence N. 20° 39′ 20″ W. 355.00 feet more or less to a point on the line of ordinary high water mark of the Pacific Ocean as described in the deed of Dibblee herein first above mentioned; thence southerly and westerly along said line of high water mark of the Pacific Ocean to the true point of beginning containing 5 99 acres more or less; upon the condition that the said property shall be improved by the erection and construction thereon of an athletic field and stadium for Santa Barbara State College, costing not less than $30,000, withing three years after the date of such lease or conveyance. In the event the lands described in this paragraph are leased to the State of California as herein provided, the lease shall provide that the lands may be conveyed to the State during the term of said lease and upon such conveyance the lease shall terminate and be of not further force and effect. Whenever said lands shall be conveyed to the State of California, the conveyance may provide for the forfeiture of title to said lands to said city in the event said condition is not complied with and also in the event that the use of said property as an athletic field for such state college shall ever be discontinued by the State, for a period as long as one year.

SEC. 2. This act is hereby declared to be an urgency measure within the meaning of Section 1 of Article IV of the Constitution, necessary for the immediate preservation of the public peace, health and safety, and shall therefore take effect immediately.

The following is the statement of facts constituting such necessity:

It is intended that there shall be erected and constructed on certain of the lands referred to in this act to be conveyed by the City of Santa Barbara to the State, an athletic field and stadium for Santa Barbara State College, and it is necessary that the lands be conveyed as soon as possible in order that work may be commenced promptly so that this athletic field and stadium will be available for use during the fall semester of the present year. The prompt completion of an adequate athletic plant at Santa Barbara State College will be of substantial benefit both to the students at the college and to the residents of the City of Santa Barbara.

ASSEMBLY BILL No. 6

CHAPTER 9

An act to add Section 4 to "An act granting certain tidelands and submerged lands of the State of California to the City of Santa Barbara, subject to certain trusts," approved April 16, 1925, authorizing the conveyance of certain lands to the United States Government, or to any agency thereof, to take effect immediately.

The people of the State of California do enact as follows:

SECTION 1. Section 4 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 4. The City of Santa Barbara is hereby authorized to grant and convey to the United States Government, or any agency thereof, for use as a site for a naval reserve armory, that certain parcel of land heretofore granted to it by the State pursuant to this act and described as follows:

Beginning at the most easterly corner of that certain tract of land leased to the State of California by the City of Santa Barbara for a stadium site by lease dated March 24, 1938, and recorded in Book 438 at page 498 official records of Santa Barbara County, said point of beginning being the easterly end of that certain course described in said lease above referred to, as bearing north 69° 20′ 40″ east - 735.00′ to a point; thence south 55° 39′ 10″ east 156.78′ to the true point of beginning of the tract hereinafter described; thence first north 41° 31′ 30″ east - 250.00′ to a point, said point being on the most westerly edge of the parapet wall of the Santa Barbara breakwater; thence second, south 48° 28′ 30″ east along the westerly edge of said parapet wall 160.00′ to a point; thence third, south 41° 31′ 30″ west - 250.00′ to a point; thence fourth north 48° 28′ 30″ west - 160.00′ to the true point of beginning and containing 0.918 acres.

SEC. 2 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution of the State of California, and shall therefore go into effect immediately. The following is a statement of the facts constituting such necessity:

The unsettled condition of world affairs has resulted in a situation in this Country that can only be met by a prompt and widespread military and naval armament program and by taking all possible measures to secure the peace and safety of this Nation. A portion of the land heretofore granted by the State to the City of Santa Barbara is needed by the United States Government for purposes in connection with this program. In order that the program of armament and protection will not be delayed and that adequate provision for the preservation of the peace of this Country can be made as promptly as possible it is essential that this act take effect immediately.

DATA FURNISHED TO THE COMMITTEE BY THE COUNTY OF SANTA BARBARA

COUNTY OF SANTA BARBARA

CALIFORNIA

BOARD OF SUPERVISORS

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T A TWITCHELL
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COUNTY CLERK
AND EX OFFICIO
CLERK OF THE
BOARD OF SUPERVISORS

COURT HOUSE
SANTA BARBARA
CALIFORNIA

August 19, 1948

MR. RALPH C. DILLS, *Chairman*
INTERIM COMMITTEE ON PETROLEUM
STATE CAPITOL, SACRAMENTO, CALIFORNIA

DEAR SIR: In answer to the questionnaire in your letter of July 26th in regard to tideland and submerged land extending from Sandy Land Point to Rincon Point granted by the State to the County of Santa Barbara, are as follows:

1. Board of Supervisors of Santa Barbara County is the administrating agency.

2. A pier or wharf has been built in the area and is being used for fishing and recreational purposes.

3. Public funds have been expended by the State Beach and Park Commission for repair and maintenance on the above improvement.

4. Certain portions of the above area above the high-tide line have been acquired by the State Beach and Park Commission through a cooperative agreement with the County of Santa Barbara. The value of the improvements made to the above mentioned pier is approximately $8,000; the original cost was somewhat in excess of $20,000. The State Beach and Park Commission contemplate the expenditure of approximately $176,000 in improvements of the area for recreational purposes. A large portion of the area is included in the master beach development plans of Santa Barbara County.

5. None

6. None

7. None

8. No, only that area above the high-tide mark as mentioned above to the State Beach and Park Commission.

9. No

I trust the above information will meet with your requirements.

Sincerely yours,

C. W. BRADBURY
Chairman

ANALYSIS OF THE REPLY OF THE COUNTY OF SANTA BARBARA

The reply of the County of Santa Barbara indicates in large part a substantial compliance with the conditions of the statutes of grant. Expenditures of public funds for improvement and development of the granted lands were, however, not specified

Conclusion. The committee should investigate the expenditure of public funds by the County of Santa Barbara for the development and improvement of the granted lands

CITY OF SANTA MONICA

ASSEMBLY BILL No. 86

CHAPTER 78

An act granting certain tidelands and submerged lands of the State of California to the City of Santa Monica upon certain trusts and conditions.

[Approved April 10, 1917]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Santa Monica, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all the tidelands and submerged lands, within the present boundaries of said city, and situated below the line of mean high tide of the Pacific Ocean, to be forever held by said city, and by its successors, in trust for the uses and purposes, and upon the express conditions following, to wit:

(a) Said lands shall be used by said city and by its successors, solely for the establishment, improvement and conduct of a harbor and for the establishment and construction of bulkheads or breakwaters for the protection of lands within its boundaries, or for the protection of its harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion or accommodation of commerce and navigation, and the protection of the lands within said city, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatsoever; provided, that said city, or its successors, may grant franchises thereon, for a period not exceeding twenty-five years, for wharves and other public uses and purposes, and may lease said lands, or any part thereof for a period not exceeding 25 years, for purposes consistent with the trusts upon which said lands are held by the State of California and with the requirements of commerce or navigation at said harbor;

(b) Said harbor shall be improved by said city without expense to the State, and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California, shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California;

(c) In the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls, or charges, or in facilities, for any use or service in connection therewith shall ever be made, authorized or permitted by said city or by its successors. The absolute right to fish in the waters of said harbor, with the right of convenient access to said waters over said lands for said purpose, is hereby reserved to the people of the State of California.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF SANTA MONICA

OFFICE OF THE CITY MANAGER

CITY OF SANTA MONICA CALIFORNIA

August 10, 1948

HON. RALPH C. DILLS, *Chairman*
Interim Committee on Petroleum Problems
123 N. Tamarind Street, Compton, California

DEAR MR. DILLS: Your letter of July 26, 1948, addressed to former Mayor R. E. Schafer has been referred to me for reply.

I shall attempt to answer your questionnaire regarding tideland and submerged lands granted by the State of California to the City of Santa Monica in the order in which your questions were put.

1. Which officer or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the State?

   Answer: Recreation Department.

2. What action has been or is being taken for the development and improvement of the granted lands?

   Answer: There have been built two pleasure piers, an auditorium, breakwater, and other improvements made by the Recreation Department for the benefit of the people using the beaches.

3. Have public funds been expended for such purposes, and, if so, approximately in what amount?

   Answer:

Municipal Wharf	1919 Bond Issue	$75,000	$1,155,000
Breakwater	1931 Bond Issue	690,000	
Auditorium	1920 Bond Issue	325,000	
Dredging		65,000	

4. What improvements have been made pursuant to franchises or leases and what is the approximate value thereof?

   Answer:

S. M. Pleasure Pier (I. D. Loof)	$75,000	$2,275,000 Approx.
Ocean Park Pier	1,500,000	
Lick Pier	25,000	

5. What franchises or leases of such lands are currently in effect?
Answer:
1. S. M. Pier—Walter D. Newcomb..... Expires 6/7/57
2. O. P. Amusement Pier ..... Expires 6/30/66
3. Charles Lick ..... Expires 6/28/66

6. What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which such revenues are used?
Answer:
1. 2% of Gross—Approx. $1,500 per year
2. $5,300 per year
3. $600 per year

In addition thereto, the Municipal Pier, Harbor and Auditorium produce gross revenues of approximately $45,000 per year. Revenues from the three franchises listed in (6) are taken into the General Fund, as is also the revenue from the Municipal Pier and Harbor, less operating costs. Revenue derived from rental of the Auditorium is taken into the Park Fund. Total gross revenues received by the city from its own and leased or franchised operations are approximately $52,400 annually.

7. To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations?
Answer: Only to the extent indicated by the answers to (5) above.

8. Has your local agency been divested of title or right to possession of any of the granted lands by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise?
Answer: No.

9. Have any judicial proceedings been commenced against your local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment.
Answer:

Carpenter v. *City of Santa Monica* (1944), 63 Cal Ap. 2d, 772, wherein it was determined that the State or its successor in interest, which in this instance would be the city, is the owner of artificial accretions formed below the mean high tide line. Such accreted land does not belong to the upland owner. This is true whether such artificial accretions were added rapidly and perceptible or gradually and imperceptibly. The artificial accretions in this instance were caused by the erection of the breakwater.

Los Angeles Athletic Club v. *City of Santa Monica (1944), 63 Cal Ap 2d 795,*

wherein it was determined also that artificial accretions caused by the breakwater as in the *Carpenter* case, belong to the State or its successor in interest. It further pointed out that the littoral

rights of an upland owner who owns no title to tidelands adjoining his property are subject to termination by whatever disposition of the tidelands the State or its grantees, in the exercise of their trust, choose to make.

Muchenberger v. *City of Santa Monica (1929), 206 Cal 635,* wherein it was determined that a municipality may, by agreement, determine the boundary line of its property even when such boundary line is to determine the line of ownership between uplands and tidelands held by the city in trust.

It should be noted that in the first two cases hearings were denied by the State Supreme Court.

In addition to the foregoing cases, of course, the Santa Monica tidelands are involved in the case of *United States* v. *State of California,* better known as the Tideland Case.

We trust the above information is complete and satisfactory, and if there are any further questions, please feel free to submit them to this office.

Yours very truly,

R. M DORTON
City Manager

ANALYSIS OF THE REPLY OF THE CITY OF SANTA MONICA

The reply of the City of Santa Monica indicates probable unauthorized use and administration of state-granted tide, submerged, and reclaimed lands, particularly with regard to the privately owned and privately operated amusement centers maintained on such lands It is important in this respect that the revenues from these three amusement center leases or franchises are diverted to the city's general fund, rather than being earmarked for harbor development and improvement or the other purposes authorized by the statute of grant.

Conclusion. The committee should conduct examinations, research, and investigations into the leasing of the granted lands, in order to ascertain if the use and administration thereof is unauthorized by the statute of grant, and also into the purposes for which the revenues from the granted lands are applied. Information and data thus obtained will enable the committee to report to the Assembly on the advisability of reacquiring the granted lands by the State of California.

COUNTY OF SONOMA

SENATE BILL No. 649

CHAPTER 218

An act granting to the County of Sonoma certain lands of the State of California located in the County of Sonoma, upon certain trusts and conditions.

[Approved by Governor April 24, 1943. Filed with Secretary of State April 24, 1943]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the County of Sonoma all of the right, title and interest of the State of California held by said State by virtue of its sovereignty in and to the following described real property situate in the County of Sonoma, in said State, and described as follows, to wit:

Parcel No. 1. Commencing at a 6″ x 6″ concrete monument from which Engineers Station 476+39.23 P.C. bears N. 32° 05′ 20″ E. a distance of 4657.88 feet, said station being shown on a map of Road District Improvement No 3 as recorded in Book 44 of Maps, pages 145 to 186 Sonoma County Records; thence from said point of commencement S. 59° 16′ 30″ E. a distance of 61.46 feet to the ordinary high-water mark of Bodega Bay and the point of beginning of the herein described parcel of land; thence from said point of beginning and following said ordinary high-water mark N. 18° 11′ E. a distance of 1201 26 feet; thence leaving said ordinary high-water mark and crossing the waters of Bodega Bay S. 0° 25′ 20″ W. a distance of 2649.37 feet to a point in the ordinary high-water mark of Bodega Bay; thence along said ordinary high-water mark the following coures and distances, N. 18° 32′ W. 150.00 feet to a point from which a brass tablet marking U. S. Engineer's Triangulation Station "Gaffney" bears S. 55° 41′ W., a distance of 122 80 feet; thence continuing along said ordinary high-water mark N. 49° 20′ W. 512 40 feet; N. 17° 49′ W. 320 00 feet; N. 0° 49′ W. 500 00 feet and N 39° 17′ 30″ E. 293.70 feet to the point of beginning, containing 18.83 acres.

Parcel No. 2. All of that real property adjacent to the Bodega Rancho and lying adjacent to the Pacific Ocean at Bodega Bay more fully described as follows:

Commencing at a 4″ x 4″ concrete monument marking the most westerly corner of that certain tract of land acquired by the County of Sonoma under an order of condemnation as recorded in Book 557, Official Records, page 353, which said tract is designated as Parcel 9 in said order and from which point of commencement Engineers Station 407+16.24 P.C. bears N. 56° 04′ 30″ E., a distance of 3940.90 feet; said station 407+16.24 being shown on a Map of Road District Improvement Number 3 as recorded in Book 44, of Maps, pages 145 to 186, Sonoma County Records; and from said point of commencement another 4″ x 4″ concrete monument bears N. 67° 21′ 30″ E., a distance of 576 36 feet; thence from said point of commencement S. 20° 01′ E., a distance of 124 85 feet; thence S. 19° 47′ E., a distance of 50.00 feet to the ordinary high tide line of the waters of the Pacific Ocean; thence along the said ordinary high tide line S. 74° 59′ W., a distance of 99.85 feet; thence still following said tide line S. 72° 55′ W., a distance of 404.32 feet to the point of beginning of the parcel to be described; thence from said point of beginning and along the ordinary high tide line of the waters of the

Pacific Ocean as said high tide line existed prior to dredging operations of the years 1942 and 1943 the following courses and distances; S. 59° 00′ W. 194.25 feet; S. 64° 34′ W., 570.00 feet; S. 60° 19′ W., 447.70 feet; S. 61° 42′ W. 322.00 feet; S. 54° 34′ W. 330 67 feet; S. 48° 10′ W. 99.17 feet; S. 56° 42′ W. 100.00 feet; S. 53° 50′ W. 100.13 feet; S. 56° 30′ W. 38.00 feet to a point in the now existing ordinary high tide line of the waters of the Pacific Ocean; thence along said existing ordinary high tide line the following courses and distances; S. 54° 00′ W. 187.00 feet; S. 52° 30′ W., 220.00 feet; S. 64° 30′ W. 145 00 feet; S. 30° 00′ W. 125.00 feet; S 34° 14′ E. 178.00 feet; S. 25° 36′ W., 125.56 feet; S. 19° 17′ W. 105 33 feet; S. 5° 57′ W. 100.82 feet; S. 3° 52′ E. 139.38 feet; S. 18° 19′ E . 161.29 feet; S. 30° 06′ E. 107 40 feet; S 41° 55′ E. 190.77 feet; S. 43° 53′ E 160.82 feet; S 64° 40′ E. 105.68 feet; S. 75° 43′ E. 85.11 feet; N. 21° 55′ E. 455.00 feet; N. 1° 27′ W. 544.00 feet; N. 16° 29′ E. 355.47 feet; N. 39° 59′ E 470.00 feet; N. 49° 39′ E. 395 00 feet; N. 52° 51′ 30″ E. 1280 65 feet to the point of beginning. Containing 28.52 acres.

SEC. 2. All of said real property above described and hereby granted shall be forever held by the said County of Sonoma. and by its successors, in trust for the uses and purposes, and upon the express conditions following, to wit:

Said real property shall be used solely for the purposes of a public park, to which the public at all times shall have free access, and said County of Sonoma shall not at any time grant, convey, lease, give, or alien, said real property or any part thereof to any individual, firm, or corporation whatever.

SEC. 3. There is hereby reserved, however, in the people of the State of California, the right to fish in the waters of the tidelands, with the right of convenient access to said waters over said lands when improved, as aforesaid.

SEC. 4. There is hereby excepted and reserved to the State of California, all deposits of minerals, including oil and gas, in the land granted by this act, including the right to extract and remove the deposits.

DATA FURNISHED TO THE COMMITTEE BY THE COUNTY OF SONOMA

WILLIAM E. CLAUS
CLERK

DOROTHY LARSON
SECRETARY ASST CLERK

County of Sonoma

Board of Supervisors

Santa Rosa, California

MEMBERS OF THE BOARD
JAMES F LYTTLE
CHAIRMAN
VICTOR H ANDERSON
JOSEPH D COX
RICHARD C MILLER
WILLIAM A KENNEDY

March 19, 1950

ASSEMBLY, CALIFORNIA LEGISLATURE
State Capitol
Sacramento 14, California

Attention: G Delbert Morris, Chairman, Interim Committee on Petroleum Products

DEAR SIR: Replying to your letter of February 19, 1951, enclosing a questionnaire regarding tidelands and submerged lands granted by the State, wish to advise that this letter is the first we have seen regarding said questionnaire.

Herewith we take each item and answer them:

No. 1. What officer or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the State? Answer: Board of Supervisors.

No. 2. What action has been or is being taken for the development and improvement of the granted lands? Answer: Doran Park—Air Strip.

No. 3. Have public funds been expended for such purposes, and if so, approximately in what amount? Answer: $14,753.

No. 4. What improvements have been made pursuant to franchises or leases and what is the approximate value thereof? Answer: None.

No. 5. What franchises or leases of such lands are currently in effect? Answer: None.

No. 6. What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which such revenues are used Answer: None.

No. 7. To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations? Answer: Individuals have small boat landings, and corporations engaged in the fishing industry.

No. 8. Has the local agency been divested of title or right to possession of any of the granted lands by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise? Answer: No.

No. 9. Have any judicial proceedings been commenced against the local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment. Answer: No.

Trusting this is the desired information, we remain

Yours very truly,

BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA
By: JAMES F. LYTTLE
Chairman of the Board of Supervisors and
Member From the First District

ANALYSIS OF THE REPLY OF THE COUNTY OF SONOMA

The reply of the County of Sonoma reports an unauthorized use and administration of lands granted by the State of California to that political subdivision in 1943, Chapter 218. The granted lands were authorized by the Legislature to be used only for the purpose of a public park, whereas an aircraft landing field has been constructed thereon and individuals and corporations apparently have proprietary interests therein

Conclusion. The committee should investigate the unauthorized use and administration of the lands of the State of California granted to the County of Sonoma, in order to report to the Legislature on the advisability of reacquisition of such lands by the State.

CITY OF SOUTH SAN FRANCISCO

ASSEMBLY BILL No. 1074

CHAPTER 345

An act granting to the City of South San Francisco the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the City of South San Francisco and regulating the management, use and control thereof.

[Approved June 11, 1913]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of South San Francisco, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all the salt marsh, tide and submerged lands, whether filled or unfilled, within the present boundaries of said city, and situated below the line of mean high tide of the Pacific Ocean, or of any harbor, estuary, bay or inlet within said boundaries, to be forever held by said city, and by its successors, in trust for the uses and purposes, and upon the express conditions following, to wit: That said lands shall be used by said city and its successors, solely for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatever; provided, that said city, or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods for purposes consistent with the trusts upon which said lands are held by the State of California and with the requirements of commerce or navigation at said harbor, for a term not exceeding 25 years, and on such other terms and conditions as said city may determine, including a right to renew such lease or leases for a further term not exceeding 25 years or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases, and said lease or leases may be for any and all purposes which shall not interfere with navigation or commerce, with reversion to the said city, on the termination of such lease or leases of any and all improvements thereon, and on such other terms and conditions as the said city may determine but for no purpose which will interfere with navigation or commerce, subject also to a reservation in all such leases or such wharfing out privileges of a street, or of such other reservation as the said city may determine for sewer outlets, and for gas and oil mains, and for hydrants, and for electric cables and wires, and for such other conduits for municipal purposes and for such public and municipal purposes and uses as may be deemed necessary by the said city; provided, however, that each person, firm or corporation or their heirs, successors or assigns now in possession of land or lands abutting on said lands, within the boundaries of the City of South San Francisco, shall have the right to obtain a lease for a term of 25 years from said city of said land and wharfing out privileges therefrom

with a right of renewal for a further term of 25 years pursuant to the provisions of this act and on such terms and conditions as said city may determine and specify, subject to the right of said city to terminate said lease at the end of the first 25 years or refuse to renew the same, or to terminate the lease so renewed during the term of such renewed lease on such just and reasonable terms for compensation for improvements at the then value of said improvements as said city may determine and specify. Upon obtaining such lease and wharfing out privileges such person, firm or corporation, their heirs or assigns, shall quitclaim to said city any right they or any of them may claim or have to the said lands hereby granted This grant shall carry the right to such city of the rents, issues and profits in any manner hereafter arising from the lands or wharfing out privileges hereby granted. The State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California. No discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors in the management, conduct or operation of any of the utilities, structures or appliances mentioned in this section. There is hereby reserved in the people of the State of California the right to fish in the waters on which said lands may front with the right of convenient access to said waters over said lands for said purpose.

SEC. 2 The foregoing conveyance is made upon the condition that the City of South San Francisco shall, within five years from the approval of this act, exclusive of such time as said city may be restrained from so doing by injunction issued out of any court of this State or of the United States, and exclusive of such further delays as may be caused by unavoidable misfortune or great public or municipal calamity, issue its bonds for harbor improvement purposes in an amount of money of not less than $250,000, and shall, within five years after the approval of this act, exclusive of the time in this section hereinbefore mentioned, commence the work of such harbor improvement, and the said work and improvement shall be prosecuted with such diligence that not less than $250,000 shall be expended thereon within five years from the approval of this act exclusive of the time in this section hereinbefore mentioned. If said bonds be not issued or said work be not prosecuted and completed as and in the manner herein provided, then the lands by this act conveyed to the City of South San Francisco shall revert to the State of California.

CHAPTER 56

An act granting to the City of South San Francisco the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the City of South San Francisco and regulating the management, use and control thereof.

[Approved by the Governor April 10, 1925]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of South San Francisco, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held

by said State by virtue of its sovereignty, in and to all the salt marsh, tide and submerged lands whether filled or unfilled, within the present boundaries of said city, and situated below the line of mean high tide of the Pacific Ocean, or of any harbor, estuary, bay or inlet within said boundaries, to be forever held by said city, and by its successors, in trust for the uses and purposes, and upon the express conditions following, to wit: That said lands shall be used by said city and its successors, solely for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation and said city or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatever; provided, that said city, or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods for purposes consistent with the trusts upon which said lands are held by the State of California and with the requirements of commerce or navigation at said harbor, for a term not exceeding 25 years, and on such other terms and conditions as said city may determine, including a right to renew such lease or leases for a further term not exceeding 25 years or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases, and said lease or leases may be for any and all purposes which shall not interfere with navigation or commerce, with reversion to the said city, on the termination of such lease or leases of any and all improvements thereon, and on such other terms and conditions as the said city may determine, but for no purpose which will interfere with navigation or commerce; subject also to a reservation in all such leases or such wharfing out privileges of a street, or of such other reservation as the said city may determine for sewer outlets, and for gas and oil mains, and for hydrants, and for electric cables and wires, and for such other conduits for municipal purposes, and for such public and municipal purposes and uses as may be deemed necessary by the said city; provided, however, that each person, firm or corporation or their heirs, successors or assigns now in possession of land or lands abutting on said lands, within the boundaries of the City of South San Francisco, shall have the right to obtain a lease for a term of 25 years from said city of said land and wharfing out privileges therefrom with a right of renewal for a further term of 25 years pursuant to the provisions of this act and on such terms and conditions as said city may determine and specify, subject to the right of said city to terminate said lease at the end of the first 25 years or refuse to renew the same, or to terminate the lease so renewed during the term of such renewed lease on such just and reasonable terms for compensation for improvements at the then value of said improvements as said city may determine and specify. Upon obtaining such lease and wharfing out privileges such person, firm or corporation, their heirs or assigns, shall quitclaim to said city any right they or any of them may claim or have to the said lands hereby granted This grant shall carry the right to such city of the rents, issues and profits in any manner hereafter arising from the lands or wharfing out privileges hereby granted. The State of California shall have, at all times, the right to use, without charge, all wharves,

docks, piers, slips, quays and other improvements constructed on said lands or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California. No discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors in the management, conduct or operation of any of the utilities, structures or appliances mentioned in this section. There is hereby reserved in the people of the State of California the right to fish in the waters on which said lands may front with the right of convenient access to said waters over said lands for said purpose.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF SOUTH SAN FRANCISCO

CITY OF SOUTH SAN FRANCISCO
SAN MATEO COUNTY, CALIFORNIA

QUESTIONNAIRE REGARDING TIDELANDS AND SUBMERGED LANDS GRANTED BY THE STATE

1. Which officer or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the State?

No officer or agency in South San Francisco.

2. What action has been or is being taken for the development and improvement of the granted lands?

None.

3. Have public funds been expended for such purposes, and, if so, approximately in what amount?

None.

4. What improvements have been made pursuant to franchises or leases and what is the approximate value thereof?

None.

5. What franchises or leases of such lands are currently in effect?

None.

6. What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which such revenues are used?

None

7. To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations?

None.

8. Has your local agency been divested of title or right to possession of any of the granted land by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise?

Not to our knowledge.

9. Have any judicial proceedings been commenced against your local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment.

None.

ANALYSIS OF THE REPLY OF THE CITY OF SOUTH SAN FRANCISCO

The reply of the City of South San Francisco is self-explanatory. There is evidently a complete failure to comply with the intents, purposes, and conditions of the granting statutes.

Conclusion. The recommendation of the committee in situations involving failure to develop or improve the granted lands is contained in the recommendations of the committee set forth at the conclusion of this report.

CITY OF VALLEJO

SENATE BILL No. 1535

CHAPTER 310

An act conveying to the City of Vallejo certain tidelands and lands of the State of California lying under inland navigable waters within the boundaries of the said city, situate in the Napa Creek, the Mare Island Straits and the Straits of Carquinez, including the right to wharf out therefrom to the City of Vallejo, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

[Approved June 11, 1913]

WHEREAS, Since the admission of California into the Union, all tidelands along navigable waters of this State and all lands lying beneath the navigable waters of the State have been and now are held in trust by the State for the benefit of all the inhabitants thereof for the purposes of navigation, commerce and fishing; and

WHEREAS, It is the duty of the State to govern, administer and control such lands and to improve and develop navigation, commerce and fishing thereon and thereover; and

WHEREAS, The State has not the general power of alienation of such lands but may, when the interests of commerce, navigation and fishing require it, convey to municipalities limited and defined areas of such lands with the power to govern, control, improve and develop the same in the interests of all the inhabitants of the State; and

WHEREAS, The conveyance to the City of Vallejo of the lands hereinafter described, together with the right to govern, control, improve and develop the same will result in great advantage and benefit to all the inhabitants of the State, it is provided:

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted and conveyed to the City of Vallejo, a municipal corporation, in the County of Solano, State of California, and to its successors, all the right, title and interest of the State of California held by said State by virtue of its sovereignty in and to all the tidelands and lands lying under inland navigable waters within the boundaries of the present City of Vallejo, situate in the Napa Creek, the Mare Island Straits and the Straits of Carquinez, lying and being between the line of mean high tide and the pier head line in said straits, as the same has been or may hereafter be established by the Federal Government, and the right to wharf out therefrom to the City of Vallejo,

to be forever held by said city and by its successors in trust for the uses and purposes and upon the expressed conditions following to wit: That said lands shall be used by said city and its successors, only for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said city, or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, for purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce and navigation at said harbor, for a term not exceeding 25 years, and on such other terms and conditions as said city may determine, including a right to renew such lease or leases for a further term not exceeding 25 years or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases, and said lease or leases may be for any and all purposes which shall not interfere with navigation or commerce, with reversion to the said city on the termination of said lease or leases of any and all improvements thereon, and on such other terms and conditions as the said city may determine, but for no purpose which will interfere with navigation or commerce; subject also to a reservation in all such leases or such wharfing out privileges of a street, or of such other reservation as the said city may determine for a belt line railroad or other railroad where the same may be deemed necessary by the said city; and such other reservations as the city may require, and for sewer outlets, and for gas and oil mains and water mains, and for hydrants, and for electric cables and wires, and for such other conduits for municipal purposes, and for such public and municipal purposes and uses as may be deemed necessary by the said city; provided, however, that each person, firm or corporation or their heirs, successors or assigns now in possession of land or lands within the boundaries of the said City of Vallejo as hereinbefore firstly described, situate in the Napa Creek, the Mare Island Straits and the Straits of Carquinez, and lying and being between the line of mean high tide and the pier head line in said straits, as the same has been or may hereafter be established by the Federal Government, shall have a right to obtain a lease for a term of 25 years from said city of said land and wharfing out privileges therefrom with a right of renewal for a further term of 25 years pursuant to the provisions of this act and on such terms and conditions as said city may determine and specify, and said renewed lease may be terminated at any time by mutual agreement of the city and the lessee, on such just and reasonable terms for compensation for improvements as may be mutually agreed upon. Upon obtaining such lease and wharfing out privileges such person, firm or corporation, their heirs or assigns, shall quitclaim to said city any right they or any of them may claim or have to the said lands hereby granted. This grant shall carry the right to such city of the rents, issues and profits in any manner hereafter arising from the lands or wharfing out privileges hereby granted. The State of California shall have at all times, the right to use, without charge, all wharves,

docks, piers, slips, quays and other improvements constructed on said lands of any part thereof, for any vessel or other watercraft, or railroad, owned or operated by the State of California No discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors in the management, conduct or operation of any of the utilities, structures or appliances mentioned in this section There is hereby reserved in the people of the State of California the right to fish in the waters on which said lands may front with the right of convenient access to said waters over said lands for said purpose.

SEC. 2. The foregoing conveyance is made upon the condition that the City of Vallejo shall, within five years from the approval of this act, exclusive of such time as said city may be restrained from so doing by injunction issued out of any court of this State or of the United States, and exclusive of such further delay as may be caused by unavoidable misfortune or great public or municipal calamity, cause to be expended for harbor improvement purposes an amount not less than twenty-five thousand ($25,000) dollars. If said harbor improvement work be not done and if said amount be not expended for harbor improvement as herein provided, then the lands by this act conveyed to the City of Vallejo shall revert to the State of California.

ASSEMBLY BILL No. 655

An act to declare certain reclaimed land in the City of Vallejo to be free from certain trusts and restrictions imposed on such land when granted to such city.

[Approved by the Governor May 23, 1925]

The people of the State of California do enact as follows:

SECTION 1. All of that land granted by the State of California to the City of Vallejo by the provisions of an act entitled "An act conveying to the City of Vallejo certain tidelands and lands of the State of California lying under inland navigable waters within the boundaries of the said city, situate in the Napa Creek, the Mare Island Straits and the Straits of Carquinez, including the right to wharf out therefrom to the City of Vallejo, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved June 11, 1913, which is behind the permanent bulkhead constructed by the Government of the United States and which has been filled and can no longer be used for navigation or fisheries, is hereby declared to have ceased to be tidelands or submerged lands, and to be free from all trusts and restrictions imposed on such land under and by the provisions of the act entitled "An act conveying to the City of Vallejo certain tidelands and lands of the State of California lying under inland navigable waters within the boundaries of the said city, situate in the Napa Creek, the Mare Island Straits and the Straits of Carquinez, including the right to wharf out therefrom to the City of Vallejo, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved June 11, 1913.

ASSEMBLY BILL No. 1797

CHAPTER 483

An act conveying certain tidelands and lands lying under inland navigable waters, situate in the Bay of San Pablo to the City of Vallejo, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State.

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted and conveyed to the City of Vallejo, in the County of Solano, State of California, all of the tide and submerged lands situate on the northeasterly shore of San Pablo Bay, immediately north of Mare Island Naval Yard, more particularly bounded and described as follows:

Commencing at the intersection of the ordinary high-water mark along the northeastern shore of San Pablo Bay and the west line of Sec. 6, T. 3 N., R. 4 W., M. D. B & M.; running thence southeasterly along said ordinary high-water mark of San Pablo Bay to the intersection thereof with a line common to the SE. ¼ and the SW. ¼ of said Sec. 6, said intersection being the true point of beginning of the parcel of tide and submerged lands herein described; continuing thence along the ordinary high-water mark of San Pablo Bay southeasterly to the point of intersection thereof with the northwestern boundary line of the lands owned by the United States Government and commonly known as Mare Island Naval Shipyard; thence south 71 degrees west, to the western boundary line of Solano County; thence along said county boundary line approximately north 62½ degrees west 14,000 feet; thence leaving said county boundary line and running northeasterly in a straight line to the point of beginning

To be forever held by said city, and its successors, in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands shall be used by said city, and its successors, only for the establishment, improvement and conduct of a harbor, including an airport or aviation facilities, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures, facilities and appliances necessary or convenient for the promotion and accommodation of commerce and navigation by air as well as by water, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said city, or its successors, may grant franchises thereon for limited periods (but in no event exceeding 50 years), for wharves and other public uses and purposes and may lease said lands, or any part thereof, for limited periods (but in no event exceeding 50 years), for purposes consistent with the trust upon which said lands are held by the State of California, and with the requirements of commerce and navigation at said harbor, and collect and retain rents from such leases.

(b) That said lands shall be improved by said city without expense to the State, and shall always remain available for public use for all purposes of commerce and navigation, and the State of California shall have at all times, the right to use, without charge, all wharves, docks, piers, slips, quays, and other improvements and facilities constructed on said

lands, or any part thereof, for any vessel or other water or aircraft, or railroad, owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures, appliances or facilities mentioned in paragraph (a), no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

(d) There is hereby reserved, however, in the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands for said purposes.

(e) There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said land, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from said land.

(f) The lands herein described are granted subject to the express reservation and condition that the State may at any time in the future use said lands or any portion thereof for highway purposes without compensation to the city, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements taken or the damages to such interest.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF VALLEJO

NAVAL CAPITOL OF THE WEST

HOME OF MARE ISLAND NAVY YARD"

OFFICE OF THE MAYOR

City of Vallejo

VALLEJO, CALIFORNIA

GEORGE C. DEMMON
MAYOR

August 13, 1948

HONORABLE RALPH C. DILLS, *Chairman*
Interim Committee on Petroleum Problems
Assembly, California Legislature
State Capitol, Sacramento 14, California

DEAR SIR: I am in receipt of your communication of July 26, 1948, enclosing a list of questions which have been prepared by your committee on petroleum problems.

The attachment is submitted in reply to your questionnaire.

I am indeed pleased to see your committee study this important subject matter, and if we can be of further assistance in submitting additional data to you kindly notify us.

Yours very truly,

GEORGE C. DEMMON
Mayor

QUESTIONNAIRE REGARDING TIDELANDS AND SUBMERGED LANDS GRANTED BY THE STATE, AND ANSWERS THERETO BY THE CITY OF VALLEJO

1. Which officer or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the State?

   The administering of tideland matters is a function of the Vallejo City Council and City Manager's Office. The city manager is the chief administrator of the city. All leases or contracts require the approval of the legislative body.

2. What action has been or is being taken for the development and improvement of the granted lands?

   In 1914, the city began the reclamation of the major part of such lands by the construction of timber and rock bulkheads and earthen retaining levees located along or closely paralleling the bulkhead lines established in the harbor by the War Department, followed by the filling of the areas between such retaining structures and the shore line with earth dredged from the harbor and hauled from the upland.

   The improvement of such reclaimed areas has proceeded intermittently by construction of the following:

   (1) Streets and highways.
   (2) Railroad.
   (3) Sanitary sewers.
   (4) Storm sewers.
   (5) Water distribution pipes.
   (6) Fuel gas mains.
   (7) Electric power pole lines.
   (8) Telephone pole lines.
   (9) Wharves.
   (10) Piers
   (11) Concrete seawall.
   (12) Pier sheds.
   (13) Commercial and industrial buildings.
   (14) Automobile parking lots.
   (15) Parks.
   (16) Veterans' memorial park.
   (17) Recreation fields, buildings and piers.
   (18) Federal housing.
   (19) Municipal bus terminal
   (20) Ferry terminals.
   (21) War balloon anchorages.
   (22) Lumber yard.
   (23) Petroleum products tankage and storage.
   (24) Concrete aggregate bunkers.
   (25) Heavy construction storage yard.
   (26) Automobile service stations.
   (27) Ice house.
   (28) U. S. Naval Barracks.
   (29) U. S. Naval Shipyard office building.
   (30) Dwellings.

(31) U. S. rail and highway causeway to Mare Island.
(32) Pacific Gas & Electric gas house and yard.

3. Have public funds been expended for such purposes, and, if so, approximately in what amount?

Public funds of the Federal Government, the State Government, and the municipal government have been expended for the improvement of such lands in the following approximate amounts:

Federal Government	$4,000,000
State Government	150,000
Municipal Government	850,000

4. What improvements have been made pursuant to franchises or leases and what is the approximate value thereof?

Railroad.	Bus terminals.
Electric power pole lines.	Wharves
Telephone pole lines.	Piers.
Fuel gas mains.	Recreation fields.
U. S. Naval Barracks.	

The approximate value of all the improvements under this heading is $1,250,000.

5. What franchises or leases of such lands are currently in effect?

(1) Electric railroad franchise and lease.
(2) Electric power pole lines.
(3) Telephone pole lines.
(4) U. S. Naval Reserve barracks.

6. What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which such revenues are used?

The city has purchased from the Federal Government approximately 10 wartime barracks and associated structures situated on the tidelands. This area is used for the location of small industries which do not have plants of their own. Presently, nine industries have been located in this area, the monthly rental from same totaling $721. The California National Guard has leased one building from the city, for which rental is paid in the amount of $150 per month.

7. To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations?

The public service corporations, as listed above, all have lines on the granted lands. Three large corporate petroleum product distributors have holdings of relatively small areas. About one-half dozen individuals and commercial corporations have small holdings on the lands.

8. Has your local agency been divested of title or right to possession of any of the granted land by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise?

Yes. Approximately one-half of such lands have been, or are about to be partitioned by agreement. Private individuals and corporations obtained part of the tideland areas by patents or state grants, prior to the city's obtaining from the State its remaining interest in the tidelands.

9. Have any judicial proceedings been commenced against your local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment.

U. S. Federal Government has taken certain portions of the tidelands for purposes of constructing facilities needed during wartime. Proceedings are as follows:

(1) *United States* v. *Certain parcels of land in the City of Vallejo, County of Solano, State of California*, T. M. Ormont, et al., Civil No. 4608. Amendment to Complaint later filed.

(2) *United States* v. *Certain parcels of land in the City of Vallejo, County of Solano, State of California,* Lange and Daniels, et al., Civil No. 22277-G.

For further data, consult city attorney.

ANALYSIS OF THE REPLY OF THE CITY OF VALLEJO

The reply of the City of Vallejo discloses unauthorized use and administration of state-granted lands to a considerable degree. The report by this municipality serves to illustrate the problems confronting the committee in its research and the importance of the considerations involved. Franchises and leases currently in effect are admitted to benefit corporations and individuals, industrial and manufacturing concerns, and commercial enterprises, none of which uses or administrations of such granted lands is within the comprehension of the statutes of grant. In addition, apparently a large portion of the granted lands are devoted to residence purposes, again an unauthorized use and administration. Of urgent importance is the information that approximately one-half of the granted lands have been or are about to be partitioned by agreement, to which the State of California should be, but is not, a party, with individuals and corporations.

Conclusion. The committee should undertake immediate surveys, research, examinations, and investigations relating to all phases of the use, development, improvement, and administration of the granted lands by the City of Vallejo and the municipality's intentions regarding the same. By obtaining more complete and detailed information, the committee will be enabled authoritatively to recommend to the Assembly the reacquisition of the granted lands by the State of California

CONCLUSIONS

Since the committee undertook the conduct of this investigation there have been three chairmen and considerable change in the personnel of the committee. It therefore follows that a continuous and searching inquiry has not resulted.

Even a casual examination of the extent of the state lands granted to local political subdivisions by the 123 acts passed by previous Legislatures will disclose the immense area of valuable real property over which the State has lost effective control. In good faith these lands were granted to be used and developed for certain specific purposes. It is incumbent upon this Legislature to re-examine these grants in order that the paramount rights of the State of California may be protected or reasserted.

This committee should be given adequate funds to employ trained and experienced personnel to thoroughly investigate the problems presented by the past grants of lands which today may be valued in terms of hundreds of millions of dollars.

An opportunity in public hearings should be given the officer or agency administering tide, submerged and reclaimed lands to demonstrate the manner and extent of conformance to the terms of the grants.

The committee in disputed areas would be obliged to employ a licensed surveyor to assist in determining the boundaries of the lands granted. This is particularly necessary where there is proof that the political subdivision has transferred or otherwise lost title to some person, corporation or public agency in violation of the grant.

In order to make certain that the local agency has not been divested of title or right to possession of the tide, submerged or reclaimed lands other than by Federal Supreme Court action it may be necessary to employ one skilled in the search of titles in each of the counties wherein the lands are located.

The personnel of this committee changes from year to year and in order that a full and complete record of proceedings in the future be acquired and maintained it is advisable that all public hearings be reported and the transcripts made the property of the Legislature. These records would be available for the Attorney General or other legal authorities in connection with quiet title or other legal proceedings in behalf of the State of California

Furthermore, in view of the recommendations above made calling for legislation returning title or control to the State over granted lands, the records of the public proceedings would be invaluable to future legislatures.

It is apparent from the foregoing account that the duties imposed upon the committee are of great importance affecting as they do the title to property valued in millions of dollars. These duties should be undertaken as soon as possible after the 1951 Legislature adjourns.

It will require months of time to properly investigate the 44 political subdivisions from Crescent City in the north to San Diego in the south. Needless to say, an inadequate grant of funds to the committee would prevent the full, complete, and thorough study which this important subject requires.

RECOMMENDATIONS

1. The Legislature by resolution or act should instruct the Legislative Counsel Bureau to include in every bill granting state lands to political subdivisions a provision that:

(a) Unless certain specified acts are performed by the grantee therein within a stated period the grant shall be canceled, with title reverting to the State of California, such specified acts to be set forth in detail and to be related to the beneficial use and development of the lands granted.

(b) Revenues derived from the granted lands or structures placed thereon shall be devoted to the purposes for which the lands were granted with periodic audits by the State Controller of moneys accruing from such development and use.

(c) The State of California be made a party defendant in any action involving title to the granted lands.

2. The Legislature should direct that appropriate legal proceedings be instituted in the nature of quiet title actions in those instances where the committee has found that grantees have transferred granted lands in apparent violation of the statutes.

3. The Legislature should direct that appropriate legal proceedings be instituted to oblige grantees to comply with the provisions of the grants in trust respecting the development, use and administration of granted lands where the committee finds apparent violations in these respects.

4 The Legislature should consider the passage of appropriate legislation to effect a reversion to the State of those lands where there has been absolutely no development, improvement or use of the lands.

5. This committee be continued with sufficient funds and personnel to complete an intensive, thorough investigation of land grants to the end that the paramount rights of the State of California in these lands be protected and preserved.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Leland C. Launer of Fullerton.

On request of Mr. Clarke, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Lowell Clarke, son, Billie, and daughter, Linda, of Sacramento.

On request of Mr. Belotti, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Walter Heston of San Francisco.

On request of Mr. Elliott, the usual courtesies of the Assembly for this day were unanimously extended to Carol Milman of Los Angeles and Mary Templeton of Oakland.

On request of Mr. Silliman, the usual courtesies of the Assembly for this day were unanimously extended to the following group of 4 H members from Monterey County: Joan Hook, Betty Redfern, Norma Juhler, Lorrame Corda, Marlene Ambrosini, Robin Pyburn, Mary Duncan, Burnette Wimer, Don Boysen, Charles Sanini, Bob Herlich, Mrs. Charles Sanini, and Art Greartual.

On request of Mr. Grunsky, the usual courtesies of the Assembly for this day were unanimously extended to Alice Sams, Sue Crawford, and Mrs. Crawford of Santa Cruz County.

On request of Mr. Waters, the usual courtesies of the Assembly for this day were unanimously extended to Dr. Gerhard H. Gmaser of Vienna, Austria.

On request of Mr. McMillan, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Ben Nelson of Culver City.

On request of Mr. Cooke, the usual courtesies of the Assembly for this day were unanimously extended to Frieda Klussmann or San Francisco.

On request of Mr. Lanterman, the usual courtesies of the Assembly for this day were unanimously extended to Lloyd Lanterman of La Canada.

On request of Messrs. Lyon and Conrad, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. F. M. Jenifer and Mrs. Martha Janney of Sherman Oaks.

On request of Mr. Kelly, the usual courtesies of the Assembly for this day were unanimously extended to A. W. Noon of Taft.

On request of Mr. Belotti, the usual courtesies of the Assembly for this day were unanimously extended to Joseph C. Cummings of Eureka.

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Cecil D. Hardesty, Francis C Darby, and E M. Walker of San Diego.

On request of Mr. Tomlinson, the usual courtesies of the Assembly for this day were unanimously extended to Ella Baxter of Van Nuys.

On request of Mr. Conrad, the usual courtesies of the Assembly for this day were unanimously extended to Harry Salkin, Abe Salkin, and Sam Salkin of Hollywood.

ADJOURNMENT

At 11 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Friday, June 22, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-SEVENTH LEGISLATIVE DAY

ONE HUNDRED NINETEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, June 22, 1951

The Assembly met at 10 a.m.

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

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

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

Quorum present.

PRAYER

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

We Look Unto Thee Our Father with the words of the Psalmist;

"The Lord is my Shepherd; I shall not want.

He maketh me to lie down in green pastures: He leadeth me beside the still water.

He restoreth my soul: He leadeth me in the paths of righteousness for His name's sake.

Yea, though I walk through the valley of the shadow of death, I will fear no evil; for Thou art with me; Thy rod and Thy staff they comfort me.

Thou preparest a table before me in the presence of mine enemies: Thou anointest my head with oil; my cup runneth over.

Surely goodness and mercy shall follow me all the days of my life: and I will dwell in the house of the Lord forever."

We ask it in the name of Him whom we worship in Spirit and in Truth.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

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

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 21, 1951

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

Assembly Concurrent Resolution No 104

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

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 21, 1951

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

Assembly Bill No. 850
Assembly Bill No. 1017
Assembly Bill No 1669
Assembly Bill No. 2261
Assembly Bill No 2456
Assembly Bill No. 2626
Assembly Bill No. 3254
Assembly Bill No 3443

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

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

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 21, 1951

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

Assembly Bill No. 611
Assembly Bill No. 614
Assembly Bill No. 671
Assembly Bill No 1400
Assembly Bill No. 1853
Assembly Bill No. 1955
Assembly Bill No 2591
Assembly Bill No. 2611
Assembly Bill No. 3066
Assembly Bill No. 3056
Assembly Bill No. 2216

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

Above bills ordered enrolled.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1841—An act to amend Section 4850 of the Labor Code, relating to leave of absence with pay in lieu of disability payments.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1841?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 1, 1951, strike out lines 18 to 20, inclusive.

Amendment No. 2

On page 1, line 11, of said bill, as amended, insert "temporary" after "in lieu of" and before "disability payments".

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

Amendment No. 3

On page 2 of said bill, as amended, add Section 2, to read

"SEC. 2 Section 4853 of the Labor Code is amended to read:

4853. Whenever such disability of [such city policeman or city fireman] *any such officer or employee* continues for a period beyond one year, such member shall thereafter be subject as to disability indemnity to the provisions of this division other

than Section 4850 during the remainder of the period of said disability or until the effective date of his retirement under the State Employees' Retirement Act, and the leave of absence shall continue."

Amendment No. 4

On page 2 of said bill, as amended, add Section 3, to read

"SEC. 3. Section 4854 of the Labor Code is amended to read:

4854 No disability indemnity shall be paid to [such city policeman or city fireman] *any such officer or employee* concurrently with wages or salary payments."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1841 by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Condon, Conrad, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Lanterman, Levering, Lincoln, Maloney, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—49

NOES—None.

Assembly Bill No. 1841 ordered enrolled.

Assembly Bill No. 2196—An act to amend Sections 2160.7 and 3044.1 of the Welfare and Institutions Code, relating to state reimbursement to counties for the cost of institutional care of certain aged and certain blind persons.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2196?

Amendment No. 1

On page 1, lines 17 and 18, of the printed bill, strike out "before it is administratively possible to restore aid", and insert "within 10 days and before aid is restored".

Amendment No. 2

On page 1, line 22, of said bill, strike out "where", and insert "which".

Amendment No. 3

On page 2, lines 16 and 17, of said bill, strike out "before it is administratively possible to restore aid", and insert "within 10 days and before aid is restored".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2196 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Condon, Conrad, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Maloney, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—50.

NOES—None.

Assembly Bill No. 2196 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 252

Mr. McCarthy asked for, and was granted unanimous consent to take up House Resolution No. 252, out of order.

CONSIDERATION OF HOUSE RESOLUTION NO. 252

By Mr. McCarthy:

House Resolution No. 252

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and is hereby authorized to act as the authorized representative of the

Committee on Rules pursuant to Rule 9.5 of the Standing Rules of the Assembly for the purpose of approving all long distance telephone calls and telegrams, and be it further

Resolved, That wherever by any resolution of this Assembly amounts are allocated from the Contingent Fund to be expended by the Chief Clerk he is hereby designated to act as the authorized representative of the Committee on Rules for the purpose of making such expenditures as may be authorized by said resolution without the prior approval of the Committee on Rules.

Resolution read.

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

AYES—Babbage, Berry, Brown, Burke, Burkhalter, Chapel, Cloved, Coats, Condon, Conrad, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—49.

NOES—None.

Hon. Laughlin E. Waters Presiding

At 10.12 a.m., Hon. Laughlin E. Waters, Member of the Assembly from the Fifty-eighth District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 211

Mr. McCollister asked for, and was granted unanimous consent to take up House Resolution No. 211, out of order.

CONSIDERATION OF HOUSE RESOLUTION NO. 211

By Mr. Dickey:

House Resolution No. 211

Resolved, That Arthur A. Ohnimus, Chief Clerk of the Assembly, is hereby directed to take charge of arranging and preparing the bills, books, and all other records of the Assembly, and filing the same with the Secretary of State, as provided by law, subsequent to adjournment of the 1951 Regular Session of the Legislature; and shall have charge of indexing, correcting, comparing and proofreading, and otherwise preparing the Journal and the Final History of the Assembly of the 1951 Regular Session of the Legislature; such indexing, correcting, comparing and proofreading of the Assembly Journals and Final History shall be performed by the State Printer under the direction of the Chief Clerk of the Assembly, making the information therein contained readily available for the use of the Members of the Legislature, state officers, and the general public, as a permanent record of the business transacted during the 1951 Regular Session. He shall also have charge of compiling, preparing, and having printed after adjournment, a final calendar of the legislative business of the 1951 Regular Session, said calendar to comprise a History of all bills introduced and their authors, the numbers that shall have become law; those that have been refused passage; an index to all measures introduced; and any and all such information as will provide a complete history of the session's business and a guide for the information of subsequent sessions of the Legislature.

When the final calendar is prepared, said Arthur A Ohnimus, Chief Clerk, is directed to forward one copy of the Final History to each public library in the State which may apply for same, and one copy to each Member of the Assembly, and one copy of the complete unbound chapters to each Member of the Assembly; and be it further

Resolved, That the Chief Clerk shall prepare and have printed subsequent to adjournment and during the 30-day period allowed the Governor to sign bills, a Bulletin showing the bills that the Governor has signed during said 30-day period and at the conclusion of the 30-day period he shall have compiled and printed a Bulletin showing the complete action on all bills signed and those pocket vetoed, and such other information as he may deem useful to advise the members of the status of each individual bill introduced during the session.

He shall mail a copy of said Bulletin to each Member of the Assembly and to each person making a request for a copy of the same; and be it further

Resolved, That the Chief Clerk is hereby authorized to employ such help as may be necessary to complete the aforesaid work of the Assembly and the same shall be compensated at a rate per diem not greater than that allowed them during the

time the Legislature is in session; provided, however, that no compensation shall be allowed except for services actually performed in Sacramento, and the Chief Clerk is hereby directed to keep an accurate attendance record of all attaches so employed and certified by him to the State Controller as being entitled to compensation; and be it further

Resolved, That the State Controller is hereby authorized and directed to pay weekly compensation in such amounts and to such persons as may be certified to him by the Chief Clerk as being entitled to the same until the said work has been completed, and such sums shall be payable from the unexpended balance of the fund provided for the payment of officers and attaches of the Assembly.

Resolution read.

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

AYES—Babbage, Belotti, Berry, Brown, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—55.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 212

Mr McCollister asked for, and was granted unanimous consent to take up House Resolution No. 212, out of order

CONSIDERATION OF HOUSE RESOLUTION NO. 212

By Mr. Dickey:

House Resolution No. 212

Resolved, That the sum of fifteen thousand dollars ($15,000), or so much thereof as may be necessary, is hereby made available from the Assembly Contingent Fund for telephone service, telegraph service, postage, supplies, bills from state departments, and other incidental expenses in completing the work of the 1951 Regular Session of the Assembly and maintaining the Assembly Chamber and offices until the convening of the next Regular Session of the Assembly, to be disbursed, after certification by the Chief Clerk of the Assembly supported by vouchers, upon warrants drawn by the Controller.

Resolution read.

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

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Condon, Conrad, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—53.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 213

Mr. McCollister asked for, and was granted unanimous consent to take up House Resolution No. 213, out of order.

CONSIDERATION OF HOUSE RESOLUTION NO. 213

By Mr. Dickey:

House Resolution No. 213

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrants on the Contingent Fund of the Assembly in the sum of eighteen hundred dollars ($1,800), in favor of Arthur A Ohnimus, Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, for postage, telephone service, telegraph service, supplies, traveling expenses, bills from state departments, and performing any duties imposed by the Rules or resolutions of the Assembly, also to pay any bills for incidental expenses of the Assembly heretofore incurred but for which payment

has not been provided by other resolutions, and other incidental expenses in connection with completing the work of the 1951 Regular Session of the Assembly of the State of California

The Chief Clerk of the Assembly is instructed to file with the Controller receipts covering all expenditures made hereunder.

Resolution read.

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

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Condon, Conrad, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—58.

NOES—None

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

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

Assembly Concurrent Resolution No 106

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

SAM L. COLLINS, Chairman

Above reported resolution ordered engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2362—An act to amend Section 261a 5 of the Code of Civil Procedure, relating to reporters for superior courts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2362?

Amendment No. 1

In the title of the printed bill, as amended in the Assembly on June 13, 1951, strike out lines 1 and 2, and insert "An act to add Section 261a.7 to the Code of Civil Procedure,".

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 3 to 7, inclusive, and insert "SECTION 1. Section 261a.7 is added to the Code of Civil Procedure, to read: 261a.7. In each county or city and county,".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2362 by the following vote:

AYES—Belotti, Berry, Brown, Burke, Chapel, Coats, Conrad, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—53.

NOES—None.

Assembly Bill No. 2362 ordered enrolled.

Assembly Bill No. 2816—An act to provide for the interchangeable use of single-trip beer cartons and to add Section 53.55 to the Alcoholic Beverage Control Act, relating to use of cartons.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2816?

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

Amendment No. 1

On page 1 of the printed bill, strike out all of the three lines of the title and insert

"An act to [add Section 55.8 to] amend Sections 7, 19, 23b, 24.2, 24.26, 24.27, 27b, 27c, 38.2, 39, 55.7, 59 and 59.5 of, and to add Sections 53.4, 53.55 and 55.8 to, the Alcoholic Beverage Control Act, relating to sales of alcoholic beverages at wholesale and at retail."

Amendment No. 2

On page 1 of said bill, strike out all of lines 1 and 2, and insert

"SECTION 1. Section 7 of the Alcoholic Beverage Control Act is amended to read:

SEC. 7. Each license issued under this act shall be issued to a specific person, and, except in the case of licenses authorizing the sale of alcoholic beverages on trains or boats, shall be issued for a specific location, the principal address of which shall be indicated on the license. Separate licenses shall be issued for each of the premises of any business establishment having more than one location except as provided for in Section 6, subdivisions (o) and (p), and except that the holder of a public warehouse license maintaining or operating more than one public warehouse in this State shall be required to obtain but one license for all of his public warehouse establishments. A copy of the original public warehouse license issued to a public warehouseman maintaining or operating more than one public warehouse in this State shall be posted in each of his public warehouse establishments. A charge of one dollar ($1) shall be made by the board for each copy of a public warehouse license issued to such public warehouseman.

Wine stored in a winery, wine storeroom, or field warehouse bonded under the internal revenue laws of the United States, and brandy in bulk stored in an internal revenue bonded warehouse may be stored by or for any licensee under this act without the necessity of any license by the party furnishing or providing the storage space; beer and wine upon which excise taxes have been paid to the State at the rate fixed under this act, may be stored by or for any licensee under this act in any private or public warehouse or elsewhere in this State without the necessity of any license by the party furnishing or providing the storage space, or any special additional license being required by such licensee; provided, however, that any other alcoholic beverage may without the necessity of any additional license be stored by or for a licensee in private warehouses approved by the board if within the limits of the county in which such licensees licensed premises are located, or in a public warehouse within such county, or may be stored in bond in a public warehouse outside such county where such warehouse is also a United States customs bonded warehouse, or a United States internal revenue bonded warehouse or United States bonded storeroom.

Any licensee under an on-sale general license or an on-sale distilled spirits license for seasonal business who maintains upon or within the premises for which such license is issued more than one room in which there is regularly maintained a fixed counter or service bar at which distilled spirits are served for consumption within the licensed premises shall obtain from the board, and the board shall upon request issue a duplicate of his original license for each room, in excess of one, containing such fixed counter or service bar and shall post a duplicate of his original license in each such room. He shall pay to the board at the time of application for each such duplicate license an amount equal to the license fee payable for a like period for the distilled spirits privileges of the original on-sale general license or on-sale distilled spirits license for seasonal business. Failure to obtain such duplicate license or licenses and to pay such fees and renewal fees therefor shall subject such licensee to the penalties imposed by this act for failure to obtain an original license or to pay the renewal fees therefor.

Licenses for trains and boats shall be based on the average number in actual operation, during the license year, of each class of operating units, viz., trains and boats upon which the license privileges are exercised, such average number to be determined as the board may prescribe.

Each license issued under this act is separate and distinct and shall be transferable from the person to whom issued or by whom renewed to another person upon the approval of the board as provided in this act and upon the payment of a transfer fee

equal to the fee payable upon an original application as provided under Section 5 of this act; provided, that the license or licenses of one spouse may be transferred to the other spouse when the application for transfer is made prior to the entry of a final decree of divorce, and the license or licenses of a decedent, minor ward, incompetent person, bankrupt person, *person for whose* estate a receiver is appointed, or assignor for the benefit of creditors may be transferred by or to the surviving partner or partners of a deceased licensee, the executor, administrator, or guardian of an estate of a licensee, the surviving spouse of a deceased licensee in the event that the deceased licensee leaves no estate to be administered, the trustee of a bankrupt estate of a licensee, a receiver of the estate of a licensee, or an assignee for the benefit of creditors of a licensee with the consent of the assignor, or a transfer between partners where no new partner is being licensed, and the fee for transfer for each license in such case shall be twenty-five dollars ($25).

Each license issued under this act shall be transferable from the premises for which issued upon the approval of the board and upon the payment of a transfer fee of twenty-five dollars ($25) and upon compliance with the provisions of this act relating to the issuance of an original license.

In no case shall a fee be charged for the transfer of an importer's license. If the annual fee for a license is less than twenty-five dollars ($25), the fee to be charged for the transfer thereof in any case shall be in the amount of the fee payable upon an original application as provided under Section 5 of this act.

Whenever a license certificate issued under the act is in effect and is lost or destroyed, the board shall issue a duplicate license upon the payment of a fee of five dollars ($5).

SEC 2. Section 19 of said act is amended to read:

Sec. 19 A wine grower's license shall only be issued to, or held by, a person qualified to operate or operating a winery, wine storeroom or field warehouse bonded under the internal revenue laws of the United States. Every person operating, *or authorized under the internal revenue laws of the United States to operate,* a winery or wine storeroom bonded under the internal revenue laws of the United States shall apply for, and hold, a wine grower's license.

SEC. 3. Section 23b of said act is amended to read.

Sec. 23b It shall be presumed, for the purposes of this act, that all beer [manufactured in this state by a manufacturer, or delivered to a manufacturer here], *removed from the internal revenue bonded premises of a beer manufacturer* has been sold in this State by such manufacturer unless proven to the satisfaction of the board, in reports on forms prescribed by the board, that such [alcoholic beverage (1) is still in the possession of such licensee or (2) has been sold and delivered to another manufacturer of such alcoholic beverage or (3) has been exported without this State or sold for export by the licensee making the report, or (4) prior to the termination of possession has been lost through unintentional destruction, or (5) was spoiled beer which was destroyed in the presence of a representative of the board or of the United States Bureau of Internal Revenue, or (6) prior to the termination of possession has been unaccountably lost, but such unaccounted for loss shall not exceed a tolerance to be fixed by the board; or (7) is beer] beer *(1) has been exported from this State or sold for export by the beer manufacturer making the report and actually exported from this State, or (2) has been sold and delivered in internal revenue bond to another licensed beer manufacturer in this State, or (3) is otherwise exempted from taxation under this act.*

[No excise tax mentioned in Section 23 hereof shall be or is imposed by this act upon any beer exported by a licensed manufacturer from within this State to any place without the State or sold by a licensed manufacturer for export from within this State to any place without the State and actually exported from this State or upon any beer specifically mentioned in any subdivision (1) to (7) of this section, and no excise tax mentioned in Section 23 hereof shall be or is imposed by this act upon any transaction whereby any beer is sold by the licensed manufacturer to another licensed manufacturer

[Any claim for exemption from excise tax under this section must be made to the board, in such manner as the board shall prescribe]

In the event excise taxes under this act have been paid on beer subsequently exported from the State of sold for export and actually thereafter exported from this State *or subsequently destroyed under the supervision of a board representative*, a taxpayer may claim and shall be allowed credit with respect to such tax in any report filed or assessment made under this act

SEC. 4. Section 24.2 of said act is amended to read·

Sec. 24 2. It shall be presumed that all distilled spirits acquired by any taxpayer have been sold in this State by him unless proven to the satisfaction of the board, in reports on forms prescribed by the board, that such distilled spirits are (1) still in the possession of such licensee, or (2) such distilled spirits have been sold or delivered to another licensed distilled spirits manufacturer, rectifier, importer or wholesaler, or (3) that such distilled spirits have been exported without this State or sold for export by the licensee making the report and actually exported from this State within

[30] *90* days from the date of such sale, or (4) that prior to the termination of possession such distilled spirits have been lost through unintentional destruction, or (5) that prior to the termination of possession there has been an unaccounted for loss, but such unaccounted for loss shall not exceed a tolerance to be fixed by the board, or (6) that such distilled spirits are otherwise exempt from taxation under this act.

SEC. 5. Section 24.26 of said act is amended to read:

Sec. 24.26. In addition to the other privileges exercised under a wholesaler's or rectifier's license, a wholesaler or rectifier may sell the alcoholic beverage mentioned in his license to persons who take delivery of such alcoholic beverages within this State for delivery or use without the State within [30] *90* days from the date of such sale in accordance with rules and regulations prescribed by the board.

SEC. 6. Section 24.27 of said act is amended to read:

Sec. 24.27. Any person may, in accordance with rules and regulations to be prescribed by the board, purchase and take delivery of alcoholic beverages within this State for delivery or use without the State and may, without obtaining any license in this State export the same from this State within [30] *90* days from the date of such purchase.

Licensees of other states may purchase bulk brandy produced in this State and stored in an internal revenue bonded warehouse in this State or warehouse receipts covering such brandy for storage in this State. Such licensees of other states may subsequently, without obtaining any license therefor in this State, export such brandy in accordance with the rules and regulations prescribed by the board. The sale of brandy or warehouse receipts pursuant to this paragraph by a taxpayer to the purchasing licensee of another state shall be exempt from the excise tax levied by Section 24 of this act.

SEC. 7. Section 27b of said act is amended to read:

Sec. 27b. [If the excise tax is not paid to the board within the time prescribed for the payment of the tax, a penalty of 5 percent of the amount of the excise tax shall be added thereto on account of each such delinquency.

Except as provided in Section 27c, a penalty of five dollars ($5) shall be imposed on any taxpayer who shall fail to file a tax return within the time prescribed for the filing of the return, provided, however, that the penalty imposed for the failure to file a tax return on or before the time prescribed for the filing of the return, shall not be in addition to the 5 percent penalty provided under this section for the late payment of tax if such 5 percent penalty exceeds five dollars ($5).]

Except as provided in Section 27c, if any taxpayer shall fail to file a tax return within the time prescribed for the filing of the return or shall fail to pay the excise tax to the board within the time prescribed for the payment of the tax, a penalty of five dollars ($5) or 5 percent of the amount of the excise tax, whichever is greater, shall be imposed on such taxpayer.

SEC. 8. Section 27c of said act is amended to read:

Sec. 27c. The board for good cause may extend for not to exceed [15] *30* days the time for making any report or paying any tax required under the provisions of [Section] *Sections 23 and* 24 hereof.

Any person to whom such extension is granted and who pays the excise tax within the period for which the extension is granted shall pay, in addition to the excise tax, interest at the rate of 6 percent per annum from the date the excise tax would have been due without such extension to the date of payment.

SEC. 9. Section 38.2 of said act is amended to read:

Sec. 38.2. The board shall adopt such rules and regulations as may be necessary to coordinate the system of *beer and* wine taxation imposed by this act with the system of *beer and* wine taxation imposed by the internal revenue laws of the United States.

SEC. 10. Section 39 of said act is amended to read:

Sec. 39. A written report of a member of the board or of an employee of the board engaged in the enforcement of this act disclosing that an applicant for a license or the premises for which a license is applied are not qualified for a license under this act shall constitute grounds for the denial of an application for a license.

Immediately upon the denial of any application for a license the board shall notify the applicant thereof in writing. Within 10 days after mailing the notice the applicant may present his written petition for a license to the board.

Upon receipt by the board of a petition for a license in proper form it shall be referred to a representative of the board for hearing.

Protests may be made to the board at any time prior to the issuance of a license against [either] the original issuance of a license [or the renewal of a license].

A protest made by any person other than an employee of the board or a public officer shall be verified. Verification may be on information and belief.

If a license has been issued to the applicant before receipt of the protest by the board, the protest shall be considered as a complaint against the licensee and a hearing had thereon as if a complaint had been filed.

The proceedings under this section shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all the powers granted therein.

SEC. 11. Section 53.4 is added to said act, to read:

Sec. 53.4. No beer manufacturer or beer and wine wholesaler shall sell to any retail licensee any beer bottled under a private label exclusively for a particular retail licensee or for a particular group or association of retail licensees.

SEC. 12. Section 53.55 is added to the Alcoholic Beverage Control Act, to read.".

Amendment No. 3

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

"SEC. 13 Section 55.7 of said act is amended to read:

Sec. 55.7. No licensee, *or agent or employee of such licensee*, shall, directly or indirectly, give any premium, gift, or free goods in connection with the sale of any alcoholic beverage. Any person violating the provisions of this section shall be guilty of a misdemeanor.

SEC. 14. Section 59 of said act is amended to read.

Sec. 59. Every on- or off-sale licensee, *or agent or employee of such licensee*, who sells, gives away or furnishes any alcoholic beverage in any election district or precinct in any county in the State where an election is in progress, during the hours when by law the polls are required to be kept open for voting shall be guilty of a misdemeanor.

SEC. 15. Section 55.8 is added to said act, to read:

Sec. 55.8 No brand of distilled spirits shall be sold to retailers at a price wherein the vendor's tax-paid cost, or vendor's tax-paid regularly established replacement cost, exceeds 90 percent of his selling price, and no retailer shall sell any brand of distilled spirits at a price wherein his tax-paid cost, or his tax-paid regularly established replacement cost, exceeds 80 percent of his selling price. Provided, however, that the provisions of this section shall not apply to the sale of any brand of distilled spirits, the sale of which has been approved by the board as a close-out sale.

The words "close-out sale" as used in this section shall mean the sale of any brand of distilled spirits which the vendor had in his possession for a period of six months or more and said vendor desires to discontinue the sale of said brand and shall also mean the sale of any brand of distilled spirits when the exterior of the package of said brand has been damaged by causes other than the wilful act of the vendor.

The words "tax-paid cost" or "tax-paid replacement cost" shall be deemed to include all state and federal distilled spirits excise taxes and federal import duty and shall further be deemed to mean the delivered cost at the licensed premises of the vendor or the licensed premises of the retailer or the delivered cost at a warehouse located in the same county wherein the licensed premises of the vendor are located, and, as to purchases by retailers, the delivered cost at a warehouse located in the same county wherein the licensed premises of said retailer are located."

Amendment No. 4

On page 1, line 3, of said bill, strike out "53.55", and insert "53.5".

Amendment No. 5

On page 1, line 13, of said bill, strike out "53.55", and insert "53.5".

Amendment No. 6

On page 1, line 16, of said bill, strike out "an", and insert "and".

Amendment No. 7

On page 1, line 17, of said bill, between "in" and "its", insert "its records".

Amendment No. 8

On page 4, line 24, of the printed bill, as amended in the Senate on June 6, 1951, strike out "of", and insert "or".

Amendment No. 9

On page 6, line 39, of said bill, as amended, strike out "53.5", and insert "53.55".

Amendment No. 10

On page 6, line 39, of said bill, as amended, strike out "53.55", and insert "53.5".

Amendment No. 11

On page 7, line 32, of said bill, as amended, after "apply", insert "to any sale of brandy or".

Amendment No. 12

On page 3 of the printed bill, as amended, between lines 45 and 46, insert

"No excise tax mentioned in Section 23 hereof shall be or is imposed by this act upon any beer exported by a licensed manufacturer from within this State to any place without the State or sold by a licensed manufacturer for export from within this State

to any place without the State and actually exported from this Sate or upon any beer sold by the licensed manufacturer to another licensed manufacturer or upon any beer specifically mentioned in any subdivision (1) to (3) of this section."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2816 by the following vote:

AYES—Babbage, Berry, Brown, Burke, Caldecott, Clarke, Cloved, Coats, Conrad, Dickey, Dills, Dolwig, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—54.
NOES—None

Assembly Bill No. 2816 ordered enrolled.

Assembly Bill No. 302—An act to amend Section 261a.5 of, and to add Section 261h to, the Code of Civil Procedure, relating to shorthand reporters.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 302?

Amendment No. 1

On page 2, line 42, of the printed bill, as amended in the Assembly on June 11, 1951, strike out "four dollars ($4)", and insert "five dollars ($5)".

Amendment No. 2

On page 3, lines 8 and 9, of said bill, as amended, strike out "four dollars ($4)", and insert "five dollars ($5)".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 302 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Chapel, Clarke, Cloved, Coats, Condon, Conrad, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—59.
NOES—Luckel—1.

Assembly Bill No. 302 ordered enrolled.

Assembly Bill No. 589—An act to amend Section 9.3 of the Municipal Court Act of 1925, and to add Section 30.1 to the Municipal and Justice Court Act of 1949, relating to courts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 589?

Amendment No. 1

Strike out lines 2 to 5, inclusive, of the title of the printed bill, as amended in the Assembly on April 12, 1951, and insert "and providing for the constitution of the municipal court in a district embracing the City of San Diego, relating to municipal courts."

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 13 to 18, inclusive, and insert "and each of whom shall receive thirteen thousand five hundred dollars ($13,500) per annum, payable in equal monthly installments."

Amendment No. 3

On page 2 of said bill, as amended, strike out lines 20 to 28, inclusive, and insert "SEC. 2. The municipal court established in a district embracing the City of San Diego shall be constituted, and the judges thereof shall receive compensation as follows:

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

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 589 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Conrad, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—59.
NOES—Luckel—1.

Assembly Bill No. 589 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2367

Mr Smith asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2367, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2367—An act to amend Sections 264, 286, 288, 288a, 311, and 647a of the Penal Code, relating to sex crimes.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2367?

Amendment No. 1

On page 3, lines 29 and 30, of the printed bill, as amended in the Assembly on June 11, 1951, strike out ", or at the option of the person so convicted, by castration", and insert

". Any person sentenced to life imprisonment under the provisions of this section may as an alternative to such punishment submit himself to castration and to psychological, physiological and medical examination and study thereafter for a period not to exceed three years, in which case the sentence of life imprisonment shall be suspended."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No 2367 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Chapel, Clarke, Cloyed, Coats, Conrad, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—61.
NOES—None

Assembly Bill No. 2367 ordered enrolled.

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

Assembly Bill No. 743—An act to amend Section 737jj of the Political Code, and Section 79.36 of the Code of Civil Procedure, relating to superior judges' salaries.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 743?

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on May 31, 1951, strike out "Section 737jj of the Political Code, and Section 79.36", and insert "Sections 79.36 and 79.42".

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 1 to 6, inclusive; and in line 7, strike out "SEC. 2.", and insert

"SECTION 1."

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

Amendment No. 3

On page 1 of said bill, as amended, strike out lines 13 to 16, inclusive, and insert

"SEC. 2. Section 79.42 of said code is amended to read:

79.42 The annual salary of each judge of the Superior Court in and for the County of Santa Barbara is [twelve thousand dollars ($12,000)] *thirteen thousand seven hundred fifty dollars ($13,750)*."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 743 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Chapel, Clarke, Cloyed, Coats, Condon, Conrad, Cooke, Dickey, Dills, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 743 ordered enrolled.

Assembly Bill No. 1356—An act providing for the constitution of a municipal court in a district embracing the City of Oakland, and prescribing the number and compensation of the judges, officers, and attaches thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1356?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 30, 1951, strike out all of lines 11, 12, and 13, and insert

"(1) There shall be seven (7) judges, each of whom shall receive such compensation per annum, payable in equal monthly installments, as now or hereafter prescribed for municipal judges in a city or city and county of the first class."

Amendment No. 2

On page 1, line 14, of said bill, as amended, after "one", insert "chief".

Amendment No. 3

On page 2, line 3, of said bill, as amended, strike out "chief", and insert "senior"

Amendment No. 4

On page 2, line 19, of said bill, as amended, strike out "chief deputy clerk", and insert "senior deputy clerk, (cashier-bookkeeper)".

Amendment No. 5

On page 2, line 35, of said bill, as amended, strike out "chief", and insert "senior".

Amendment No. 6

On page 2, line 37, of said bill, as amended, strike out "chief", and insert "senior".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1356 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Chapel, Clarke, Cloyed, Coats, Condon, Conrad, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes,

Grant, Grunsky, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—52.

NOES—None.

Assembly Bill No. 1356 ordered enrolled.

Speaker Presiding

At 10 25 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Assembly Bill No. 3439—An act to add Section 6516 to the Revenue and Taxation Code, relating to assessments for sales and use taxes.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3439?

Amendment No. 1

In line 5 of the printed bill, strike out "its agents or employees", and insert "or opinion signed by an authorized employee of the board".

Amendment No. 2

Between lines 14 and 15 of said bill, insert "For purposes of this section the persons occupying the following positions are authorized employees of the board, secretary; sales tax administrator; assistant sales tax administrator; tax counsel."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3439 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Clarke, Cloyed, Coats, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—59.

NOES—None.

Assembly Bill No. 3439 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 155

Mr Waters asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 155, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 155—An act to amend Section 373 of the Elections Code, relating to indexes of registration.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 155?

Amendment No. 1

On page 1, line 1, of the printed bill, as amended in the Assembly on June 6, 1951, strike out "said code", and insert "the Elections Code".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 155 by the following vote:

AYES—Babbage, Berry, Brown, Burke, Chapel, Clarke, Cloyed, Coats, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel,

Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 155 ordered enrolled.

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

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

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 40?

Amendment No. 1

On page 1 of the printed bill, following line 23, insert

"When requested by the State Board of Control the Department of Finance may furnish such assistance as may be necessary to carry out the provisions of this section."

Amendment No. 2

On page 1, line 24, of the printed bill, as amended in the Senate on April 19, 1951, after the period, insert "Any expenditures made or costs incurred heretofore or hereafter by the Department of Finance for the purposes of this section may be paid from funds available for the support of the Department of Finance."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 40 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Chapel, Clarke, Cloyed, Coats, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 40 ordered enrolled.

Assembly Bill No. 955—An act to amend Sections 137, 137.5, 138, 139, 140, 141, and 146 of, and to add Sections 137.1, 137.2, and 137.3 to, and to repeal Section 147 of, the Civil Code, relating to personal relations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 955?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on June 6, 1951, strike out "and 137.3", and insert "137.3 and 169.1".

Amendment No. 2

On page 4 of said bill, as amended, after line 24, insert

"SEC. 12. Section 169.1 is added to said code, to read:

169.1. After the rendition of a judgment or decree for separate maintenance the earnings or accumulations of each party are the separate property of the party acquiring such earnings or accumulations."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 955 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott,

Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 955 ordered enrolled.

Assembly Bill No. 1345—An act providing for the constitution of the municipal court in a district embracing the City of Richmond, and prescribing the number and compensation of the judges, officers and attaches thereof.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1345?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 23, 1951, strike out lines 19 to 23, inclusive.

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1345 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 1345 ordered enrolled.

Assembly Bill No. 3323—An act to amend Section 261b of and to add Section 261h to the Code of Civil Procedure, relating to phonographic reporters: salary: fees: taxation of fees as costs: transmission of fees to treasurer.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3323?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 10, 1951, strike out "261b of", and insert "261a.5 of,".

Amendment No. 2

In line 2 of the title of said bill, as amended, after the first "to", insert a comma.

Amendment No. 3

On page 1, line 1, of said bill, as amended, strike out "261b", and insert "261a 5".

Amendment No. 4

On page 2, line 1, of said bill, as amended, strike out "261b", and insert "261a.5".

Amendment No. 5

On page 3, line 6, of said bill, as amended, strike out "4300a of the Political", and insert "26821 of the Government"

Amendment No. 6

On page 3, line 10, of said bill, as amended, strike out "Section 4300a of the Political", and insert "Sections 26822 to 26825, inclusive, of the Government".

Amendment No. 7

On page 3, line 15, of said bill, as amended, strike out "4300a of the Political", and insert "26826 of the Government".

Amendment No. 8

On page 3, line 18, of said bill, as amended, strike out "vener" and insert "venor"

Amendment No. 9

On page 3, line 23, of said bill, as amended, strike out "4300a of the Political", and insert "26827 of the Government".

Amendment No. 10

On page 3 of said bill, as amended, between lines 29 and 30, insert

"The fee provided in this section shall not be required of any party who is exempted from the payment of costs by any statute other than Section 6103 of the Goverment Code."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3323 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—78.

NOES—None.

Assembly Bill No. 3323 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 21, 1951

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

Senate Bill No. 1843

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

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 1843—An act making an appropriation for the contingent expenses of the Senate, including expenses of committees, to take effect immediately.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Hollibaugh:

Resolved, That Senate Bill No 1843 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage

Resolution read.

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

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—62

NOES—None.

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

CONSIDERATION OF SENATE BILL NO. 1843

Senate Bill No. 1843—An act making an appropriation for the contingent expenses of the Senate, including expenses of committees, to take effect immediately.

Bill read second time.

Senate Bill No. 1843—An act making an appropriation for the contingent expenses of the Senate, including expenses of committees, to take effect immediately.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62

NOES—None

Bill ordered transmitted to the Senate

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Concurrent Resolution No 63

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Concurrent Resolution No 106

And reports the same correctly engrossed

BURKE, Chairman

Above reported resolution ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3307

Mr. Morris asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 3307, temporarily passed on file

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3307—An act to add Section 4708 to the Labor Code, relating to workmen's compensation

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 3307?

Amendment No. 1

Strike out lines 7 through 10 of the printed bill, and insert "shall determine whether the death resulted from injury or illness arising out of and in the course of his employment, for the purpose of enabling the Industrial Accident Commission to apply the provision of this division and the board of administration to apply the provisions of the State Employees' Retirement Law"

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 3307 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Coats, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None

Assembly Bill No 3307 ordered enrolled

Speaker Pro Tempore Presiding

At 10 38 a m , Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 234

Mr. Silliman asked for, and was granted unanimous consent to take up House Resolution No 234, out of order

CONSIDERATION OF HOUSE RESOLUTION NO. 234

By Mr. Sam L Collins:

House Resolution No. 234

Resolved, That Justin G. Child, Chief of the Bureau of Buildings and Grounds, be and he is hereby directed to leave the Assembly Chamber and all of the committee rooms and other rooms used by the Members and Officers of the Assembly in such condition that they will be available for use by the Assembly at any time. It is further directed that no person other than the Members and Officers of the Assembly be permitted to occupy or use the offices, committee rooms, or other rooms now occupied by the Assembly, or any of the Assembly equipment, and that the committee rooms, offices, desks, furniture and equipment of the Assembly be under the control of the Committee on Rules of the Assembly subsequent to the sine die adjournment of the session and until the Assembly shall reconvene for the next regular session;

Resolved, That any requests for the use of the Assembly Chamber must be made to the Speaker at least 10 days prior to the requested date for the use of the Assembly Chamber, and that subsequent to the sine die adjournment, and until the reconvening of the Assembly for the next regular session, the use of the Assembly Chamber shall not be permitted except on the written authorization of the Speaker; and be it further

Resolved, That any requests for the use of the committee rooms, offices, desks, furniture, or equipment of the Assembly shall be made to the Speaker of the Assembly, in writing, at least 10 days prior to the requested date for the use of such committee rooms.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 223

Mr. Silliman asked for, and was granted, unanimous consent to take up House Resolution No. 223, out of order.

CONSIDERATION OF HOUSE RESOLUTION NO. 223

By Mr. Sam L. Collins:

House Resolution No. 223

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed

below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

The Pacific Telephone and Telegraph Company (tolls)	$670.45
The Pacific Telephone and Telegraph Company (service, equipment and tolls)	100 25
The Pacific Telephone and Telegraph Company (tolls)	52 60
Department of Finance (supplies)	86 53
Department of Finance (typewriter service)	3 68
Department of Finance (toll charges)	1.40
Cascade Towel Supply (towel service)	68 20
Clark Water & Ice Company (drinking water)	7 91

Resolution read.

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

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—59.

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Bill Withdrawn From Active File, and Placed on the Inactive File

Senate Bill No. 1626, on motion of Mr. Fleury.

Senate Bill No. 149—An act to amend Section 2791 of the Elections Code, relating to state conventions of political parties.

Bill read third time.

Hon. James W. Silliman Presiding

At 10.45 a m., Hon. James W. Silliman, Member of the Assembly from the Thirty-third District, presiding.

Demand for Previous Question

Messrs. Hinckley, Luckel, Burke, Burkhalter, and Hansen demanded the previous question

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 149.

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

AYES—Connolly, Crowley, Dolwig, Hansen, Hawkins, Lowrey, McCollister, McMillan, Rumford, Shaw, and Thomas—11

NOES—Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Conrad, Cooke, Davis, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Henderson, Hinckley, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Sherwin, Smith, Stewart, and Tomlinson—47

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3198

Mr. Condon asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 3198, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3198—An act to amend Sections 14479, 14632, and 14635 of the Education Code, relating to the State Teachers' Retirement System.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 3198?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 27, 1951, between lines 34 and 35, insert

"Such retirement allowance, prior to modification under options in Section 14637, shall be at least an amount, by increase in the annuity under the Retirement Annuity Fund, based on service rendered prior to July 1, 1944, which, when added to the retirement allowance, prior to optional modification, the person is entitled to receive from a local retirement system, shall equal the retirement allowance, prior to optional modification, to which the person would be entitled under this system if he were not entitled to any allowance from a local retirement system, minus one-half the retirement annuity on account of salary earned after June 30, 1944, to which the person would be so entitled, but for which he did not make annuity contributions."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 3198 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, McCollister, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—58.

NOES—None.

Assembly Bill No. 3198 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1586—An act to add Section 103 3 to, and to repeal Sections 1507, 2003, 3001, and 3401 of, the Welfare and Institutions Code, relating to public assistance in respect to the construction and administration of the laws relating thereto.

Bill read third time.

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

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 907

Mr. Maloney asked for, and was granted unanimous consent to take up Senate Bill No. 907, out of order, for purpose of amendment

CONSIDERATION OF SENATE BILL NO. 907

Senate Bill No. 907—An act to add Section 13537.5 to the Government Code, relating to the purchase of printing equipment.

Bill read third time.

Motion to Amend

Mr. Maloney moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 21, 1951, after "act", insert "to amend Section 13552, and"

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

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 13552 of the Government Code is amended to read

13552. The department shall [install a cost system for prepricing all orders for printing executed in the State Printing Office and compile a schedule showing the value of each of the different types of work or operations which can be performed. The schedule shall be subject to revision and modification by the department whenever necessity arises] *cause to be installed and the Printing Division shall use a standard recognized printing industry cost finding system for determining the cost of all work performed in the State Printing Office.*

SEC. 2. Section 13537.5 is added to said code, to read:".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Speaker Pro Tempore Presiding

At 11.01 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

PERMISSION GRANTED FOR CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION

Pursuant to the provisions of Joint Rule No. 23, permission from the Speaker having been given, the roll was called, and permission granted Mr. Waters to consider an Assembly concurrent resolution by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—60

NOES—None

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 63

Assembly Concurrent Resolution No. 63—Relative to maps of assembly and congressional districts.

Resolution read.

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

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dills, Dolwig, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister,

McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—63

Noes—None.

Resolution ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 11 02 a m , Mr. Sam L. Collins asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Rules in the Lounge Room, at this time.

Subject. Subject matter to be referred for study to Assembly interim committees

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1490

Mr. George D. Collins asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Assembly Bill No 1490, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR SPEAKER The Committee on Conference concerning .

Assembly Bill No. 1490—An act to amend Section 8 of the Dangerous Weapons Control Law, relating to the issuance of licenses to carry concealed pistols, revolvers and other firearms, and providing for the imposition of a fee for the issuance of such licenses

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following .

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Senate on June 18, 1951, after "fee", insert "upon application"

Amendment No. 2

On page 2 of said bill, strike out lines 20 to 25, inclusive, and insert

"Each applicant for a license shall pay a fee of one dollar ($1) at the time of filing his application The officer receiving the application and the fee shall transmit the fee with the finger print cards to the State Bureau of Criminal Identification and Investigation. All money so received by the bureau shall promptly be deposited in the State Treasury and credited to the General Fund"

O'GARA	GEORGE D COLLINS
MAYO	CALDECOTT
JAMES E CUNNINGHAM	BERRY
Senate Committee on Conference	Assembly Committee on Conference

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Elliott, Evans, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, and Waters—57

NOES—None

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2941

Mr. George D Collins asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2941, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2941—An act to add Section 585.4 to the Vehicle Code, relating to the removal of vehicles parked upon streets or highways by local authorities.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2941?

Amendment No. 1

In line 5 of the printed bill, as amended in the Assembly on May 17, 1951, after "have", insert "by ordinance or resolution".

Amendment No. 2

In line 8 of said bill, as amended, after "provided", strike out the period, and insert "such removal is authorized by ordinance. No vehicle may be removed unless signs are posted giving notice of such removal."

Amendment No. 3

On page 1, line 8, of the printed bill, as amended in the Senate on May 23, 1951, strike out "therein", and insert "set forth therein,".

Amendment No. 4

On page 1, line 9, of said bill, as amended, after "ordinance", insert "or resolution"

Amendment No. 5

On page 1, line 9, of the printed bill, as amended in the Senate on June 13, 1951, strike out "or resolution".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2941 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—64

NOES—None

Assembly Bill No. 2941 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2605

Mr George D Collins asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No 2605, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2605—An act to amend Section 758 of the Political Code and Section 61.6 of the Code of Civil Procedure, relating to the salary of the clerk of each district court of appeal.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2605?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 1, 1951, strike out "Section 758 of the Political Code and".

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 1 to 14, inclusive, and insert "SECTION 1. Section 61.6 of the Code of Civil Procedure is".

Amendment No. 3

On page 2 of said bill, as amended, strike out lines 1 and 2, and insert "61.6. Each district court of appeal may appoint and employ a clerk at a salary per month, within the following range: five hun-".

Amendment No. 4

On page 2, line 4, of said bill, as amended, after the second comma, insert "and"

Amendment No. 5

On page 2 of said bill, as amended, strike out lines 6 to 9, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 2605 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloved, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott Evans, Gaffney, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick Klocksiem, Lanterman, Lincoln, Landsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, and Waters—59.

NOES—None

Assembly Bill No. 2605 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3410

Mr Geddes asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No 3410, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3410—An act to amend Sections 19601, 19601.5, 19601.6, 19608, 19611, 19613, and 19613 7 of, to add Sections 19601 7 and 19607.1 to, and to repeal Section 19617 of, the Education Code, relating to child care centers, making an appropriation, and declaring the urgency thereof, to take effect immediately

The question being, Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3410?

Amendment No. 1

Strike out lines 1 to 3, inclusive, of the title of the printed bill, as amended in the Assembly on May 22, 1951, and insert "An act to amend Sections 19601, 19601 5, 19601 6, 19607, 19608, 19613, 19613 1, 19613 5, and 19613 7 of, to add Sections 19601 1, 19601 7, 19602 3, 19602 5, 19607 1, 19607 2, 19607 3, 19607 4, and 19613 8 to, and to repeal Sections 19602 5 and 19614 5 of, the Education Code, re-".

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 3 to 15, inclusive; and on page 2, strike out line 1, and insert

"19601. The policy of the Legislature in enacting this chapter is to continue to provide until June 30, 1953, a means for meeting an emergency, existing in certain communities in the State, created by the employment of women with children, due to the increased drafting of men in the armed forces, and the extended operations increase in industries, as a result of the troubled and unsettled world conditions, without imposing additional taxes on property which the owners of such property cannot, because of the burden now imposed, be reasonably expected to bear.

SEC 2. Section 19601 1 is added to said code, to read.

19601.1."

Amendment No. 3

On page 2, line 4, of said bill, as amended, strike out "SEC. 2", and insert "SEC. 3"

Amendment No. 4

On page 2, line 37, of said bill, as amended, after "(a)", insert "and (b)"

Amendment No. 5

On page 2, line 39, of said bill, as amended, strike out "(b)", and insert "(c)"

Amendment No. 6

On page 2 of said bill, as amended, strike out lines 40 to 46, inclusive

Amendment No. 7

On page 2, line 47, of said bill, as amended, strike out "SEC. 3", and insert "SEC. 4"

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

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Amendment No. 8

On page 3, of said bill, as amended, between lines 21 and 22, insert

"SEC. 5. Section 19601.7 is added to said code, to read:

19601.7. If either parent is a veteran coming within (c) of Section 19601.5 and is attending school or receiving instruction for not less than half-time, or if either parent comes within (d), (e), (f), or (g) of Section 19601.5, and if the income from all sources of the child's immediate family exceeds that fixed by (b) of Section 19601.6, a child of such parent may be admitted to a child care center but the governing board of the school district maintaining the child care center shall, notwithstanding anything in Section 19607 to the contrary, charge and collect from the person having custody of the child a weekly fee which shall be in such amount as will reimburse the district for the cost of supervision, care, and the cost of all food furnished such child

As applied to the families of men on active duty with the United States armed forces, only that portion of the pay and allowances of such men shall be included in the "*total monthly income*" *which is the amount legally required to be made available* for the support of the family by rule or regulation

SEC. 6. Section 19602.5 of said code is repealed

SEC. 7. Section 19602.5 is added to said code, to read:

19602.5. Said governing board may accommodate in a child care center maintained by it children residing in another district, upon such terms and under such conditions as may be agreed upon by the governing boards of both districts

SEC. 8. Section 19608 of said code is amended to read:

19608. The said governing board shall establish in the county treasury a fund to be known as the "child care center fund" into which shall be paid all funds received *by the district* for, or the operation of, child care centers, *including, but not limited to, all funds derived under Sections 19613.7 and 19613.8.* The costs incurred in the maintenance and operation of child care centers shall be paid from said fund

No funds of a district derived from the receipts of district taxes, *except a district tax levied under Sections 19613.6 and 19613.8* or derived from moneys apportioned to the district for the support of the schools thereof, except State moneys expressly appropriated from the General Fund for the support of child care centers, may be expended for, or in connection with, a child care center

SEC. 9. Section 19613.1 of said code is amended to read:

19613.1. [Notwithstanding anything to the contrary in Item 79.5 of the Budget Act of 1950, the] *Any* money appropriated [by said item] to be apportioned by the Department of Education to school districts maintaining child care centers pursuant to [Chapter 11, Division 9 of the Education Code] *this chapter*, and to the governing authorities of state institutions maintaining child care centers, shall be apportioned to such school districts and governing authorities solely in [the discretion of the department upon the basis of demonstrated needs] *accordance with the provisions of this chapter.*"

Amendment No. 9

On page 3 of said bill, as amended, strike out lines 22 to 31, inclusive, and on page 4, strike out lines 1 to 18, inclusive

Amendment No. 10

On page 4, line 19, of said bill, as amended, strike out "SEC. 8", and insert "SEC. 10."

Amendment No. 11

On page 4 of said bill, as amended, between lines 32 and 33, insert

"SEC. 11. Section 19613.5 of said code is amended to read:

19613.5. No state funds shall be expended for the operation of child care centers after *June 30, 1953, and* [February 15, 1951] the unencumbered balance of any appropriation for child care centers shall revert to the General Fund *June 30 1953* [February 16, 1951]."

Amendment No. 12

On page 4 of said bill, as amended, strike out lines 33 to 36, inclusive, and insert

"SEC. 12. Section 19613.7 of said code is amended to read

19613.7. After June 30, 1952, if no state funds are made available for the support of child care centers"

Amendment No. 13

On page 4, line 38, of said bill, as amended, strike out "such additional services or facilities", and insert "the continuance"

Amendment No. 14

On page 4, line 43, of said bill, as amended, after the period, insert "*If a county* undertakes the whole support of such child care centers, it may provide for their administration by the county department of social welfare or by contract entered into with the school district in which such child care center is located, or by both."

Amendment No. 15

On page 4, line 44, of said bill, as amended, after "may", insert "either"

Amendment No. 16

On page 4 of said bill, as amended, strike out lines 46 to 48, inclusive, and insert "such county maintaining child care centers, or may use such proceeds by contributing the services of the county department of social welfare to the child care centers for purposes agreeable to the school districts maintaining such centers."

Amendment No. 17

On page 4 of said bill, as amended, strike out line 49, and insert

"SEC. 13. Section 19613.8 is added to said code, to read

19613.8. In any county or school district in which local conditions demand or make desirable the furnishing of additional services or facilities, a school district or a county may provide, either jointly or severally, for such additional services or facilities of the child care centers established and maintained in such school districts or county. Any additional services or facilities furnished pursuant to this section shall meet all of the requirements of this chapter. Any county desiring to provide such additional services or facilities may levy a tax to provide funds for such purpose. Pursuant to Chapter 10 of Division 3, the governing board of any school district desiring to provide such additional services or facilities may include in its budget the amount necessary therefor and the board of supervisors shall levy a school district tax necessary to raise such amount. The school district tax shall be in addition to any other school district tax authorized by law to be levied.

SEC. 14. Section 19602.3 is added to said code, to read:

19602.3. Children regularly enrolled in a child care center who are absent on account of illness or quarantine shall be considered to be in regular attendance for the number of hours per day for which they are enrolled for the purpose of reporting attendance for state apportionments, whenever the school district certifies that such absence was on account of illness or quarantine and is verified by the district in such manner as the Superintendent of Public Instruction shall require. All attendance shall be recorded and reported in accordance with the requirements of the Superintendent of Public Instruction.

SEC. 15. Section 19614.5 of said code is repealed.

SEC. 16. Section 19607 of said code is amended to read:

19607. Said governing board shall charge and collect, in advance, from the person having custody of any child admitted to a child care center a weekly fee [which, together with all funds received under Section 19613, shall be in such amount as will reimburse the district for the cost of maintaining such child care centers including supervision and care and the cost of all food furnished such child. The weekly fees charged need not be uniform] *equal to that specified in the fee schedule prescribed by the Superintendent of Public Instruction.*

It is hereby declared to be the policy of the Legislature that child care centers shall be made available first to those who have the greatest financial need [and to that end no money appropriated therefor shall be expended for the care or education of any child in a child care center unless a sliding scale of weekly fees shall have been adopted by the board of school district in which such child care center is maintained under which], *and the sliding scale of fees prepared by the Superintendent of Public Instruction shall provide for* a nominal fee [shall be charged] for children of families having a monthly income of less than one hundred fifty dollars ($150) or of less than

forty dollars ($40) per member of the child's immediate family, and increasingly larger fees shall be charged for children of families having larger incomes. It is further declared to be the policy of the Legislature that so far as possible [where an increase in fees is made necessary because of insufficient funds] *when it becomes necessary for the Superintendent of Public Instruction to adjust the fee schedule that any* [such] increase shall be made first in fees charged to those in the higher income brackets, and the rate of increase in fees charged for children of families of different income levels need not be uniform as between the different income levels. It is further declared to be the policy of the Legislature that the fee [scales] *schedule* shall, so far as reasonably possible, [be uniform for all child care centers, and that they shall] be established on such basis and in accordance with such principles as the [State Department of Education may recommend] *Superintendent of Public Instruction may determine* to insure proper administration of the child care center program and to establish uniform budgetary and accounting procedures

SEC. 17 Section 19607 1 is added to said code, to read:

19607.1. It is hereby declared to be the policy of the Legislature that, on a state-wide average, of the total amount of the cost for the maintenance and operation of child care centers attributable to children less than five years and nine months of age and paid for by state funds apportioned to the districts and fees collected from parents on account of such children, two-thirds of such total cost shall be paid from such state funds and one-third from such fees. Funds derived from district taxes levied under this chapter may be expended in addition to parent fees and state funds, and shall not operate to affect the operation of either the fee schedule or the formula for apportioning state funds provided for in this chapter.

SEC 18 Section19607 2 is added to said code, to read.

19607 2. The Superintendent of Public Instruction shall prepare a schedule of fees which shall be used by each school district for the charging of fees to parents. The schedule shall be on a sliding scale, ranging from a lesser amount for parents within low income levels to a higher amount for higher income levels for parents who come within the provisions of Section 19601 6 The schedule shall, together with the estimated income to be derived from fees collected from parents pursuant to Section 19601 7, provide as nearly as possible an amount equal to one-half of the State-wide average state support per hour for children less than five years nine months of age as provided in this code The fee schedule shall be on an hourly basis, and shall be the same for all children.

SEC 19 Section 19607.3 is added to said code, to read

19607 3 The Superintendent of Public Instruction may revise the fee schedule as necessary in order to conform with the provisions of this code A change in the fee schedule shall become effective 15 days after notice of such change has been given by the Superintendent of Public Instruction in writing to each district maintaining a child care center.

SEC. 20. Section 19607.4 is added to said code, to read:

19607 4 The state-wide average state support per hour shall be twenty-five cents ($0 25) for children less than five years nine months of age and sixteen cents ($0 16) for other children. The Superintendent of Public Instruction shall apportion state funds to the districts using said state-wide average state support as a maximum, except that if the fees collected by any district shall for any month be more or less than one-half of the state-wide average state support per hour for children less than five years nine months of age, the average state-wide state support amount shall be increased or decreased in an amount equal to the amount the fees deviate from one-half of the average state-wide state support, provided in no event shall the state amount exceed thirty cents ($0 30) for children less than five years nine months of age or twenty cents ($0 20) for other children"

Amendment No. 18

On page 4 of said bill, as amended, strike out line 50, and insert

"SEC 21 The sum of five million four hundred fifty-six thousand eight hundred fifty-six dollars ($5,456,856) is hereby appropriated out of the General Fund in the State Treasury to the Department of Education to be used for support of child care centers until June 30, 1952, and for the cost of the department in administering this act The department may expend not to exceed forty-four thousand dollars ($44,000) to pay its expenses in determining the need and in apportioning the sums to the school districts and state institutions

The department shall make apportionments to such school districts and state institutions from the money hereby appropriated on or before July 1, 1951, and on September 1, 1951, December 1, 1951, and March 1, 1952. The amount of any apportionment shall be based on estimates made by the department of the total number of children in attendance at the child care centers maintained by the school district or state institution, and the total number of hours of such attendance, for the period commencing on the date such apportionment is made until the date for the next apportionment, or, in the case of the apportionment for March 1, 1952, until June 30, 1952 The amount of each apportionment for each school district or state institution maintaining child care centers shall be not more than the estimated amount of state aid per

hour based on the computation provided for in Section 19607.3 of the Education Code, and in accordance with the estimated fees to be collected in accordance with the fee schedule as provided in Section 19607.2, provided that the estimated apportionment shall not exceed thirty cents ($0.30) per hour for children less than five years nine months of age or twenty cents ($0.20) per hour for other children. The apportionment, except the first apportionment, for any school district or state institution shall be reduced or increased by the amount which the preceding apportionment would have been reduced or increased had such preceding apportionment been based on actual rather than estimated attendance. If the amount of the apportionment made to a school district or state institution for March 1, 1952, exceeds the amount which would have been apportioned had such apportionment been based on actual rather than estimated attendance, the school district or state institution shall repay to the department the amount of such excess from any available funds of the district or institution and such amount is a charge against such funds. Such repayment shall be made on or before July 10, 1952, and the department may use such repayments to make payments to a school district and state institution in an amount not to exceed the amount by which the apportionment to such district or institution for March 1, 1952, was less than the amount which would have been apportioned to such district or institution had such apportionment been based on actual rather than estimated attendance. Such payments shall be made on or before July 20, 1952.

SEC. 22. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

To prevent the closing of established child care centers and the consequent disruption of the economic life of the State by the withdrawal from industry, essential during this troubled and unsettled time, of parents and others responsible for the care of minor children, it is necessary that public funds be made available for financial assistance to child care centers where a demonstrated need for such centers can be shown and for proper supervision of child care centers so that parents who are engaged or hereafter engage in work may have assurance of proper care for their minor children during the hours of their employment or for the proper care of children whose parents may be incapacitated by illness or other disability. It is, therefore, necessary that this act take effect immediately."

Amendment No. 19

On page 4 of said bill, as amended, strike out lines 51 and 52; and on page 5, strike out lines 1 to 27, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3410 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—66

NOES—None.

Assembly Bill No. 3410 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONSTITUTIONAL AMENDMENT NO. 5

Mr. Dolwig asked for, and was granted unanimous consent to take up Senate Constitutional Amendment No. 5, temporarily passed on file.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NO. 5

Senate Constitutional Amendment No. 5—Proposed amendment to Article XIII of the Constitution, relative to the taxation of insurance companies and banks.

Resolution read.

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

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—68.

NOES—None

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 41

Mr Lindsay asked for, and was granted unanimous consent to take up Senate Bill No. 41, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 41

Senate Bill No. 41—An act to add Part 1.5, comprising Sections 10100 to 10108, inclusive, to Division 6 of the Water Code, relating to implementation of the State Water Plan.

Bill read third time.

Motion to Amend

Mr. Lindsay moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on June 21, 1951, strike out "6", and insert

"1.5"

Amendment read, and adopted.

Bill ordered reprinted, and to third reading

CONSIDERATION OF HOUSE RESOLUTION NO. 98

By Mr. Gaffney:

House Resolution No. 98—Relative to congratulating Assemblyman Conrad on his recent marriage.

Resolution read.

Request for Unanimous Consent That Names of All Members of Assembly Be Placed Upon House Resolution No. 98 as Co-authors

Mr. Gaffney asked for, and was granted unanimous consent that the names of all Members of the Assembly be placed upon House Resolution No 98 as co-authors.

The roll was called, and the following members indicated their desire to become co-authors:

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

Further Consideration of House Resolution No. 98

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

House Resolution No. 98

Relative to congratulating Assemblyman Conrad on his recent marriage

WHEREAS, Charles James Conrad has married Grace Irene Odell on February 10, 1951, at the First Congregational Church of Los Angeles, and

WHEREAS The bride was born in Dayton, Ohio, the daughter of the late Arthur W and Lillian (Kirchner) Odell In 1930 she came to Hollywood where she became active in the Hollywood Young Republicans for which she was Vice Chairman in Charge of Social Activities, and there met the future benedict; and

WHEREAS, The groom was born in Philadelphia, Pennsylvania, the son of the late Charles J and Anna (Beath) Conrad He came to Hollywood in 1935 and there met his future bride during his first campaign for the State Legislature in 1946; and

WHEREAS, Charley Conrad has been a good Legislator, and by his punctual attendance and diligent application to the duties imposed upon him in service of the people of the State and his constituents of the Fifty-seventh Assembly District he has earned the friendship of his colleagues and merited the reward of a life long happiness with his charming bride; and

WHEREAS, The Speaker, Speaker pro Tempore, attaches and Members of the Assembly wish Charles J and Mrs Conrad every happiness, now, therefore, be it

Resolved by the Assembly of the State of California, That best wishes are hereby extended to Mrs Conrad, and that congratulations are hereby extended to Assemblyman Conrad, and, be it further

Resolved, That the Chief Clerk of the Assembly transmit forthwith a suitably engrossed copy of this resolution to Assemblyman and Mrs Conrad

Resolution read, and adopted unanimously

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 27

Mr. Crowley asked for, and was granted unanimous consent to take up Senate Bill No 27, temporarily passed on file

CONSIDERATION OF SENATE BILL NO. 27

Senate Bill No. 27—An act to add Section 1919 to the Health and Safety Code, relating to the control of rabid animals.

Bill read third time.

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

AYES—Babbage Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Cooke, Crowley, Davis Dickey, Dills, Dolwig, Doyle, Dunn Fleury, Gaffney, Geddes, Grant Grunsky Hagen, Hahn, Henderson, Hinckley, Hollibaugh, Klocksiem Lanterman, Levering Lincoln Lipscomb, Lowrey, Luckel, Maloney, McCollister McFall McGee McMillan, Meyers, Morris Parker, Porter, Rumford, Shaw, Smith, Stanley, Thomas and Waters—52

NOES—None

Bill ordered transmitted to the Senate

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 22, 1951

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

Assembly Bill No. 1463

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

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

Above bill ordered to unfinished business file.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3423

Mr. Lincoln asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 3423, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3423—An act to amend Sections 2160 and 2350 of the Welfare and Institutions Code, relating to Old Age Security to inmates of private institutions.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 3423?

Amendment No. 1

On page 2, line 29, of the printed bill, before "all", insert "that during such times as the federal statutes or rules and regulations of the Federal Security Agency provide for federal sharing,".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No 3423 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Crowley, Davis, Dills, Doyle, Dunn, Fleury, Gaffney, Grant, Grunsky, Hansen, Henderson, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McFall, McGee, Meyers, Parker, Porter, Rumford, Shaw, Smith, Stanley, Thomas, and Waters—42.

NOES—None.

Assembly Bill No. 3423 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 21, 1951

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

Senate Concurrent Resolution No. 99
Senate Concurrent Resolution No 100
Senate Concurrent Resolution No. 101

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Concurrent Resolution No. 99—Relative to leaves of absence of the Governor, Lieutenant Governor, Secretary of State, Attorney General, Controller, Treasurer, Superintendent of Public Instruction, members of the Board of Equalization, and the Members of the Senate and Assembly.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 100—Relative to a mural depicting Mission San Diego de Alcala.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 101—Approving amendments to the charter of the City of Petaluma, a municipal corporation in the County of Sonoma, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the twelfth day of June, 1951.

Request for Unanimous Consent

Mr. McCollister asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 101, at this time, without reference to committee.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO 101

Senate Concurrent Resolution No. 101—Approving amendments to the charter of the City of Petaluma, a municipal corporation in the County of Sonoma, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the twelfth day of June, 1951.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Henderson, Hollibaugh, Klocksiem Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Parker, Porter, Rumford, Shaw, Smith, Stanley, Thomas, and Waters—48

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 210

Mr. Lincoln asked for, and was granted unanimous consent to take up House Resolution No. 210, out of order.

CONSIDERATION OF HOUSE RESOLUTION NO. 210

By Mr. Lincoln:

House Resolution No. 210

Relative to requesting the Assembly Interim Committee on Governmental Efficiency and Economy to study bidding procedures on public works projects

WHEREAS, There exists considerable confusion and cross purposes as to needed changes in the law relating to contracting and subcontracting of public work projects, and

WHEREAS, To properly ascertain what changes in existing law, if any, are necessary the matter should be referred to an interim committee of the Assembly for a study of the problems involved; and

WHEREAS, Such study should especially consider bidding procedures on public work projects as used in Division 5 of Title 1 of the Government Code with particular reference to the regulation and standardization of subcontractor's bids and the coordination of bidding procedures for a general contractor and his subcontractors; now therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Governmental Efficiency and Economy to be created at this session of the Legislature is hereby authorized and requested to ascertain, study, and analyze all facts relating to or in any way bearing upon the subjects expressed in the recitals

of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any way bearing thereon or relating thereto, and to report thereon to the Assembly, including in its reports its recommendations for appropriate legislation

Resolution read, and adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1746—An act to amend Section 2070 of the Insurance Code, relating to standard form fire insurance policies

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Parker, Porter, Shaw, Smith, Stanley, Thomas, and Waters—49.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 520—An act to amend Sections 28385, 28386, 28400, 28412, 28413, 28414, 28415, 28416 and 28434, of the Health and Safety Code, relating to canneries.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, and Thomas—55.

NOES—None

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1967

Mr. Hawkins asked for, and was granted, unanimous consent to consider the report of the Committee on Conference, concerning Assembly Bill No. 1967, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER. The Committee on Conference concerning:

Assembly Bill No. 1967—An act to amend Section 428 of the Fish and Game Code, relating to fishing licenses.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following.

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on June 13, 1951, after "of", insert ", and to add Section 428.1 to,"

Amendment No. 2

On page 1 of said bill, strike out lines 14 to 20, inclusive

Amendment No. 3

On page 1 of said bill, after line 20, insert

"SEC 2 Section 428 1 is added to said code to read

428 1. In addition to the sporting fishing licenses provided for in Section 428, a sporting fishing license may be issued, commencing with the issuance of fishing licenses for the 1952 fishing season, to any citizen of the United States over the age of 16 years upon payment of a fee of one dollar ($1) for a period of three days from date of issue. Such license shall grant the privilege of taking fish from waters of the Pacific Ocean only. The provisions of this section shall become operative only if Assembly Bill No 50 of the 1951 Regular Session is finally enacted. If the provisions of this section become operative they shall remain in effect until the 91st day after final adjournment of the 1953 Regular Session and thereafter shall have no force or effect"

BROWN	HAWKINS
MAYO	LINDSAY
WATSON	GEORGE D. COLLINS
Senate Committee on Conference	Assembly Committee on Conference

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

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, Condon, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel Lyon, Maloney, McCollister McFall, McGee, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, and Waters—57.

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1029—An act to amend Sections 58002 and 58501 of, to add Section 58308 to, and to repeal Section 58003 of, the Government Code, relating to a System of State and Local Government.

Bill read third time

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

AYES—Babbage, Bellotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Lanterman, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, and Thomas—53

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1079—An act creating the "Lake County Flood Control and Water Conservation District" for the controlling, conservation diversion, storage and disposition of storm, flood, and other surface waters, prescribing the boundaries, organization, operation, management, financing and powers and duties of the district.

Bill read third time, and ordered passed on file.

Senate Bill No. 1456—An act to amend Section 1300.12 of the Agricultural Code, relating to marketing of agricultural commodities.

Bill read third time.

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

AYES—Babbage, Belotti, Burke, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hansen, Henderson, Kilpatrick, Klocksiem, Lincoln, Lowrey, Lyon, Maloney, McCollister, McFall, Meyers, Morris, Moss, Munnell, Parker, Rumford, Shaw, Sherwin, Stanley, and Stewart—42.

NOES—Cloyed, Luckel, Porter and Thomas—4.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. McFall, Henderson, Parker, Condon, Brown, and Hagen:

House Resolution No. 253

Relative to the Tracy Pumping Plant, Central Valley Project, Celebration

WHEREAS, The dedication of the Tracy Pumping Plant in August will put into initial full scale operation the world's largest irrigation project, the Central Valley Project; and

WHEREAS, The Tracy Pumping Plant will raise water from the Shasta-Cascades and the Sacramento River 200 feet into the Delta-Mendota Canal, using power developed from the fall of water at other points in the project, and pump over 2 million gallons a minute into the canal to flow into the lower South San Joaquin Valley and balance the availability of water between the two great valleys of California; and

WHEREAS, The Tracy Pumping Plant is the Heartbeat of the Project and its operation promises an era of accelerated agricultural progress in California; and

WHEREAS, The Dedication Celebration is to be held on August 3d, 4th and 5th in Tracy, and will attract more than 100,000 people to herald this history-making event and a new fertility for the San Joaquin Valley; now, therefore, be it

Resolved by the Assembly of the State of California, That the event be declared and that the City of Tracy be congratulated on its program, in keeping with the vastness of the Central Valley Project; and be it further

Resolved, That the Chief Clerk transmit suitable copies of this resolution to Robert Monagan, Executive Secretary, Tracy Pumping Plant Celebration, P. O. Box 891, Tracy.

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

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 858

Mr. Fleury asked for, and was granted unanimous consent to take up Senate Bill No. 858, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 858

Senate Bill No. 858—An act to amend Section 20131 of the Government Code, relating to State Employees' Retirement System.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, and Thomas—60

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 425—An act to amend Section 737vv of the Political Code and 79.48 of the Code of Civil Procedure, relating to salary of Judges in Solano County.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Klocksiem, Levering, Lincoln, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, and Thomas—52

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 209

Mr. Collier asked for, and was granted unanimous consent to take up House Resolution No. 209, out of order.

CONSIDERATION OF HOUSE RESOLUTION NO. 209

By Mr. Collier:

House Resolution No. 209

Relating to the installation of a telephone communication system on the Arroyo Seco Parkway

WHEREAS, The Arroyo Seco Parkway is now inclosed by a wire fence, with entrances and exits which are far apart, and

WHEREAS, The need has been recognized by this Assembly, and after careful consideration, by the Department of Public Works, for an emergency telephone system by which motorists using the Arroyo Seco Parkway can summon aid and receive proper service when needed, and

WHEREAS, After full discussion of the problem, and investigation of the history and records of this parkway since its opening and the presently existing conditions, by responsible officials from those cities to be affected, and the Division of Highways, the installation of such an emergency communication system has been encouraged by them; now, therefore, be it

Resolved by the Assembly of the State of California, That a telephone system connecting with the Police Departments of the Cities of Los Angeles, Pasadena and South Pasadena be installed on the Arroyo Seco Parkway for use in traffic emergencies, that the type, extent, location, and method of operation of this system be one mutually agreed upon by the interested departments of such cities which will be responsible for its effective operation, and that the Division of Highways be directed to execute the necessary legal permits for this installation, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the California Highway Commission, to the Division of Highways and to the governing bodies of the Cities of Los Angeles, Pasadena, and South Pasadena.

Resolution read, and adopted

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 594—An act to amend Section 737w of the Political Code and Section 79.23 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, and Thomas—56.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Senate Bill No. 415

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

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 415—An act to amend Section 2189 of, and to add Section 2923 to, the Revenue and Taxation Code, relating to the lien on real property of taxes on personal property.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

MR SPEAKER Your Committee on Revenue and Taxation, to which was referred:

Senate Bill No 1759

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

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1759—An act to add Section 214.4 to the Revenue and Taxation Code, relating to the exemption of property for purposes of property taxation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Senate on June 15, 1951, strike out "Section", and insert "Sections 214 3 and".

Amendment No. 2

On page 2 of said bill, after line 12, insert

"SEC 2 Section 214.3 is added to said code to read:

214 3. In the event that any property described in subdivision (6) of Section 214 shall have been used solely for religious, charitable, scientific or hospital purposes for a minimum period of 20 years, the "welfare exemption" granted by Section

214 shall extend to such property irrespective of any reversionary provisions in the title of the property respecting liquidation, dissolution or abandonment, if the ownership, operation, use and dedication of the property are otherwise within the purview of Section 214.

SEC. 3. Section 1 of this act shall become effective only if Chapter 242 of the Statutes of 1951 becomes effective, and at the same time that such Chapter 242 becomes effective."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 675

Mr. Caldecott asked for, and was granted unanimous consent to take up Senate Bill No. 1828, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 675

Senate Bill No. 675—An act to provide for the payment to such insurance company as is designated by U. S. Atomic Energy Commission of a sum equal to the total of employer's contributions made from United State Government funds through the University of California, to the State Employees' Retirement System on account of employees at the Sandia Laboratory of the United States Atomic Energy Commission.

Bill read first time.

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

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Waters—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1828

Mr. Caldecott asked for, and was granted unanimous consent to take up Senate Bill No. 1828, temporarily psssed on file.

CONSIDERATION OF SENATE BILL NO. 1828

Senate Bill No. 1828—An act to amend Sections 11512.2 and 11512.3 of, and to add Section 11512.25 to the Insurance Code, relating to nonprofit hospital service plans

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Waters—62.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Richard H. McCollister Presiding

At 11.54 a m , Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1544—An act to add Section 7 1 to the Alcoholic Beverage Control Act, relating to transfer of licenses.

Bill read third time.

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

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Stewart, Thomas, and Waters—55.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 212

Mr. Lowrey asked for, and was granted unanimous consent to take up Senate Bill No. 212, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 212

Senate Bill No. 212—An act to amend Section 6504 of the Public Resources Code, relating to execution of leases on public lands.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lincoln, Lowrey, Luckel, Lyon, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Stewart, Thomas, and Waters—58.

NOES—None

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11.58 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 857

Mr. Geddes asked for, and was granted unanimous consent to take up Senate Bill No 857, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 857

Senate Bill No. 857—An act to amend Section 161b of the Civil Code, relating to payments or refunds made pursuant to employee benefit plans.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Stewart, Thomas, and Waters—59

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENT

Mr. Hollibaugh announced that a luncheon will be held today upon recess for the members of the Los Angeles County Delegation, in the Empire Room of the Hotel Senator.

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

Today—At 1.45 p.m.

Ways and Means, in Room 435.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred

Senate Bill No. 119
Senate Bill No. 416
Senate Bill No. 1531

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

SHERWIN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 119—An act to add Article 5, comprising Sections 116c to 116g, inclusive, to Chapter 5, Title 1, Part 1 of the Code of Civil Procedure, relating to establishing a uniform accounting system for municipal courts and justice courts, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 2 of the printed bill, as amended in the Senate on June 14, 1951, between lines 21 and 22, insert

"116h. In counties having a population in excess of 2,000,000, the system established pursuant to this article may provide for the deposit of all monies collected by municipal and justice courts in the county treasury and for disbursement therefrom and for the audit of such accounts by the county auditor."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 416—An act making an appropriation for the surveys, plans, estimates of cost, specifications and other engineering expenses for the construction of a toll bridge or other toll highway crossing of the Bay of San Francisco from the County of Marin to the County of Contra Costa, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In lines 5 and 6 of the title of the printed bill, as amended in the Senate on April 17, 1951, strike out ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2, line 16, of said bill, after the period, insert "No money appropriated by this act shall be used until such time as approval of the application by the State of California for Department of Army permit for the construction of such bridge has been granted."

Amendment No. 3

On page 2 of said bill, strike out lines 17 to 37, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1531—An act making an appropriation for the restoration and improvement of the Benicia State Capitol Historical Monument.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 2, of the printed bill, as amended in the Senate on June 14, 1951, strike out "one hundred thousand dollars ($100,000)", and insert "fifty thousand dollars ($50,000)".

Amendment No. 2

On page 1, line 5, of said bill, strike out "restoration, rehabilitation and improvement of", and insert "such repairs and improvements to".

Amendment No. 3

On page 1, line 6, of said bill, after "Monument", insert "as the Director of Finance approves as necessary for its preservation".

Amendment No. 4

On page 1, line 9, of said bill, strike out "from", and insert "to".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

RECESS

At 12.01 p.m., on motion of Mr. McCollister, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

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

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 418—An act to amend Section 737mm of the Political Code, and Section 79.39 of the Code of Civil Procedure, relating to superior court judges' salaries.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Cooke, Davis, Dickey, Dills, Dolwig, Elliott, Fleury, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Moss, Munnell, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—52

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

Speaker pro Tempore Presiding

At 2.03 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Senate Bill No. 1115—An act to amend Section 737ss of the Political Code and Section 79.45 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—60.

NOES—Luckel—1

Bill ordered transmitted to the Senate.

Senate Bill No. 1116—An act to amend Section 737aaa of the Political Code and Section 79.53 of the Code of Civil Procedure, relating to superior court judges' salaries.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dills, Dolwig, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—58

NOES—George D. Collins—1

Bill ordered transmitted to the Senate.

Senate Bill No. 1825—An act to amend Sections 737yy and 737fff of the Political Code and Sections 79.51 and 79.58 of the Code of Civil Procedure, relating to salaries of judges of the superior court.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen,

Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Moss, Munnell, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—54.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 771—An act to amend Sections 443 and 448 of the Education Code, relating to the salaries of county superintendents of schools of counties of the forty-third and forty-eighth classes.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Cooke, Crowley, Davis, Dills, Erwin, Fleury, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—53.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1421—An act to amend Section 28107 of the Government Code, relating to compensation for public services in counties of the seventh class.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Erwin, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1839—An act to amend Section 28148 of the Government Code, relating to compensation for public service in counties of the forty-eighth class.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Cooke, Crowley, Davis, Dickey, Dolwig, Elliott, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—62.
NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 303—An act to amend Section 432 of the Education Code, relating to county school superintendent's salary in counties of the thirty-second class.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—60.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1209—An act to amend Section 10 of the Property Acquisition Act relative to repairs and improvements on state property, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dolwig, Erwin, Fleury, Gaffney, Geddes, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—57.

NOES—None

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dolwig, Erwin, Fleury, Gaffney, Geddes, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—57.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1842

Mr. Crowley asked for, and was granted, unanimous consent to take up Senate Bill No. 1842, temporarily passed on file

CONSIDERATION OF SENATE BILL NO. 1842

Senate Bill No. 1842—An act to amend Section 449 of the Education Code, relating to county school superintendent's salary in counties of the forty-ninth class.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dolwig, Elliott, Erwin, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1221—An act to amend Section 141 of the Streets and Highways Code, relating to the powers of the Department of Public Works.

Bill read third time.

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

AYES—Belotti, Berry, Brown, Burke, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Conrad, Crowley, Dills, Dolwig, Elliott, Erwin, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Parker, Porter, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—49.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1708—An act to amend Sections 1090, 1091, 1092, 36525, 36526, and 36527 of the Government Code, relating to the powers of the State of California or any county, city, district or other public agency, corporation or body to enter into contracts or make purchases.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Burke, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Crowley, Davis, Dolwig, Elliott, Erwin, Fleury, Gaffney, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Waters, and Mr Speaker—52.

NOES—George D. Collins, Hagen, Kilpatrick, and Munnell—4

Bill ordered transmitted to the Senate.

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

Mr. Waters asked for, and was granted, unanimous consent that a letter of transmittal and a Report of the Assembly Interim Committee on Elections and Reapportionment be ordered printed in the Journal, in 10 point type.

(Above mentioned letter of transmittal and report will appear in tomorrow's Journal.)

REQUEST FOR UNANIMOUS CONSENT THAT REPORT BE PRINTED AS A SEPARATE DOCUMENT AND THAT 500 COPIES BE PRINTED

Mr. Waters asked for, and was granted, unanimous consent that the letter of transmittal and the Report of the Assembly Interim Committee on Elections and Reapportionment be ordered printed, as a separate document, and that 500 copies be printed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 256—An act to add Section 184.1 to the Education Code, relating to the donations, bequests, and devises to the Department of Education and to schools, colleges, and institutions under its jurisdiction.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Burke, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stewart, Thomas, Waters, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 900—An act to amend Section 5107 of the Education Code, relating to state school building aid.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Thomas, and Waters—56.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 2—An act to amend Section 356 of the Streets and Highways Code, relating to state highways.

Bill read third time

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

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—61

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Dunn asked for, and was granted, unanimous consent that his name be placed upon the roll, on Senate Bill No. 2, and that he be recorded as voting "Aye".

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 87

Mr. Sherwin asked for, and was granted unanimous consent to take up Senate Concurrent Resolution No. 87, temporarily passed on file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 87

Senate Concurrent Resolution No. 87—Relative to financing of schools.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes,

Grant, Gubser, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64

NOES—None.

Resolution ordered transmitted to the Senate.

Speaker Presiding

At 3.34 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 549—An act to add Section 39 to the San Francisco Bay Area Metropolitan Rapid Transit District Act, as enacted by Chapter 1239 of the Statutes of 1949, relating to the establishment of a San Francisco Bay Area Rapid Transit Commission, and making an appropriation therefor.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Chapel, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 700—An act to add Section 5500.5 to the Labor Code, relating to workmen's compensation for industrial disease.

Bill read third time

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

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64.

NOES—Babbage—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 729—An act to amend Section 2715 and 2713 of the Business and Professions Code, relating to nursing education and directories of nurses.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—69.

NOES—Hansen—1.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 22, 1951

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

Assembly Bill No 2882

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

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

Above bill ordered to unfinished business file.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO June 22, 1951

MR SPEAKER Your Committee on Ways and Means, to which were referred

Senate Bill No. 305
Senate Bill No 1728

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

SHERWIN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 305—An act to amend Sections 353, 458, and 507 of the Streets and Highways Code, relating to state highway routes.

Bill read second time, and ordered to third reading.

Senate Bill No. 1728—An act to amend the title and Section 4 of, and to add Section 4 3 to Chapter 1422 of the Statutes of 1945, relating to beaches, parks, and public recreation facilities.

Bill read second time, and ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1054—An act to amend Section 11200 of, and to add a new Article 9 5 to Chapter 2, Part 3, Division 6, and to amend Sections 11700, 11701, and 11702, of the Water Code, relating to the Central Valley Project; authorizing certain investigations, studies, and preparation of plans and specifications for purposes thereof, and making an appropriation therefor.

Bill read third time.

Motion to Amend

Mr. Gubser moved the adoption of the following amendments:

Amendment No. 1

In line 6 of the title of the printed bill, as amended in the Senate on June 14, 1951, strike out ", and making an appropriation therefor"

Amendment No. 2

On page 2 of said bill, strike out lines 28 to 36, inclusive.

Amendments read.

Demand for Previous Question

Messrs. Lowrey, Geddes, Burke, Beck, and Rumford demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments offered by Mr Gubser to Senate Bill No. 1054.

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

AYES—Babbage, Beck, Belotti, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dunn, Elliott, Fleury, Gubser, Hagen, Hahn, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lincoln, Lindsay, Lowrey, Maloney, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Thomas, and Waters—45.

NOES—Berry, Brady, Burke, Dolwig, Erwin, Evans, Geddes, Grant, Lanterman, Lipscomb, Lyon, McGee, McMillan, Morris, Silliman, Stewart, Tomlinson, and Mr. Speaker—18.

Bill ordered reprinted, and to third reading.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Senate Bill No. 1054

Mr. Gubser asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Senate Bill No. 1054.

Senate Bill No. 1093—An act to amend Sections 1510, 1512, and 1554 of the Welfare and Institutions Code, relating to aid to needy children, and making an appropriation.

Bill read third time.

Motion to Amend

Mr. Kilpatrick moved the adoption of the following amendment:

Amendment No. 1

On page 3 of the printed bill, as amended in the Senate on May 29, 1951, between lines 45 and 46, insert

"(d) Every county shall pay from its own funds for the care and maintenance of all needy persons living in the same home with needy children if such persons are *not* eligible for and recipients of aid under another program for which state grants-in-aid are made available to the counties. Payments for the care of such persons shall be made in accordance with Section 1511.5 of this code."

Amendment read, and refused adoption.

The question being on the passage of Senate Bill No. 1093.

Demand for Previous Question

Messrs. Klocksiem, Luckel, Grant, Burke, and Cloyed demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 1093.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McFall, McGee, McMillan, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, Tomlinson, and Waters—54.

NOES—Chapel, Cloyed, George D. Collins, Conrad, Dunn, Elliott, Fleury, Kilpatrick, Kirkwood, McCarthy, Moss, Rosenthal, Sherwin, Silliman, and Mr. Speaker—15.

Bill ordered transmitted to the Senate.

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

Mr. Geddes asked for, and was granted, unanimous consent that a letter of transmittal and the Final Report of the Assembly Interim Committee on Finance and Insurance be ordered printed in the Journal, in 10 point type.

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

REQUEST FOR UNANIMOUS CONSENT THAT REPORT BE PRINTED AS SEPARATE DOCUMENT AND THAT 500 COPIES BE PRINTED

Mr. Geddes asked for, and was granted, unanimous consent that the letter of transmittal, and the Final Report of the Assembly Interim Committee on Finance and Insurance be ordered printed, as a separate document, and that 500 copies be printed.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 3.40 p.m., Mr. Dickey asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Conservation, Planning, and Public Works, in Room 2170, at this time.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1687—An act providing for the study of a night law course in the City of Sacramento, and the experimental conduct of such a course, and making an appropriation therefor.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, Tomlinson, and Waters—61.

NOES—Evans, Hagen, and Luckel—3.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1219

Mr. Sherwin asked for, and was granted unanimous consent to take up Senate Bill No. 1219, temporarily pased on file.

CONSIDERATION OF SENATE BILL NO. 1219

Senate Bill No. 1219—An act to amend Section 25301 of the Corporations Code, relating to the salary of the Commissioner of Corporations.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Maloney,

McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1671

Mr. Connolly asked for, and was granted unanimous consent to take up Senate Bill No. 1671, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1671

Senate Bill No. 1671—An act to add Chapter 5 to Division 2 of the Health and Safety Code, relating to the regulation of the humane use of animals for diagnosis and treatment of human and animal diseases, for research in the advancement of veterinary, dental, medical and biologic sciences, animal and human nutrition, improvement and standardization of laboratory procedures, and to provide for the issuance, suspension and revocation of licenses by the State Department of Public Health, relating to the use of animals for medical research, and making an appropriation therefor.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Waters, and Mr. Speaker—55

NOES—Burkhalter, George D. Collins, Doyle, Elliott, Geddes, Hawkins, Kilpatrick, Stanley, Thomas, and Tomlinson—10

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 69—Relative to the creation of a Fact-Finding Committee on Agriculture and Livestock Problems.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, and Waters—65

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 347—An act to amend Sections 1075, 1331, and 2006 of the Streets and Highways Code, relating to county road commissioners.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Thomas, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 451—An act to add Section 27250 to the Streets and Highways Code, relating to bridge and highway districts.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—60.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1684—An act to amend Sections 38691, 38693, 38694, 38695, 38696, 38697, 38699, 38701, 38702, 38704, 38705, and 38707, and to repeal Section 38698, of the Government Code, relating to zoning.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1836—An act to add Sections 20393.1 and 20393.2 to the Education Code, relating to dismissal of employees of state colleges.

Bill read third time.

Demand for Previous Question

Messrs. Grant, Collier, Shaw, Burke, and Porter demanded the previous question.

Demand for previous question sustained

The question being on the passage of Senate Bill No. 1836.

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

AYES—Babbage, Belotti, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Doyle, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney,

McCarthy, McGee, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—53.

NOES—Berry, George D. Collins, Condon, Dills, Dunn, Elliott, Evans, Hawkins, Lowrey, McFall, McMillan, Parker, and Rosenthal—13

Bill ordered transmitted to the Senate.

Senate Bill No. 572—An act to amend Sections 70, 504, 1181, and 1865 of the Civil Code, relating to courts of justice, various officers thereof, and judicial districts.

Bill read third time.

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

AYES—Babbage, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lindsay, Lapsomb, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT STATEMENT BE PRINTED IN JOURNAL

Mr. Smith asked for, and was granted, unanimous consent that a statement relative to Assembly Bill No. 1541, pertaining to licensed clinical laboratories, be ordered printed in the Journal, in 10 point type, as follows:

STATEMENT

Subject: Assembly Bill No. 1541—Licensed Clinical Laboratories

Assembly Bill No. 1541 was heard by the Committee on Public Health on March 29, 1951. At that time witnesses appeared before the committee both in opposition to, and in support of, Section 1242 on page 3 of the bill. This section, as then written, provided that a duly licensed clinical laboratory technician may perform skin punctures for test purposes when authorized by "any person licensed under any provisions of law relating to the healing arts".

The particular question argued before the committee was whether or not this language permitted or prohibited referral of patients for tests requiring skin puncture by chiropractors. It became apparent to the committee that the answer to this question turned on whether or not Section 7 of the initiative known as the Chiropractic Act permits or prohibits chiropractors themselves to puncture the skin of patients. To the committee it seemed clear it is not the function of the Legislature to interpret an initiative measure, but such is properly the function of the courts.

In order to avoid decision by the Legislature on a question of law, and for the purpose of leaving the interpretation of Section 7 of the Chiropractic Act to the Judicial Branch of Government, the committee proposed and adopted an amendment to Section 1242 substituting the following language in lieu of the clause above quoted: "from any person in accordance with the authority granted under any provision of law relating to the healing arts or granted under the Chiropractic Act". It was the intent of the Committee on Public Health that Section 1242, as amended by it, would leave the present law with respect to the practice

of chiropractic unchanged, and that if the Chiropractic Act does permit chiropractors to make skin punctures for test purposes, then they may refer such work to licensed laboratories, but if the Chiropractic Act does not permit chiropractors to puncture the skin, then that legislation, by enacting Assembly Bill No. 1541, would not change or alter such limitation of the Chiropractic Act. Specifically, it is the legislative intent not to modify an initiative measure or to interfere with judicial interpretation of the Chiropractic Act.

The foregoing statement is submitted by us in order that it may be clearly understood that in enacting Assembly Bill No. 1541 the Legislature expressly intends neither to enlarge nor diminish the scope of the practice of chiropractic as such is defined in Section 7 of the Chiropractic Act.

H. ALLEN SMITH
WM. BYRON RUMFORD
ARTHUR H. CONNOLLY, JR
GLENARD P. LIPSCOMB
W. S. GRANT

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

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

Senate Bill No. 695

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

BROWN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 695—An act to add Section 15032.5 to the Corporations Code, relating to partnerships.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended in the Senate on June 12, 1951, strike out "assuming", and insert "payment of, or the assumption, with the consent of the creditors, of".

Amendment No. 2

On page 1, lines 12 and 13, of said bill, strike out "assume", and insert "pay, or assume, as provided herein,".

Amendment No. 3

On page 2, line 13, of said bill, after the first "and", insert "the payment or assumption, as herein provided, of"

Amendment No. 4

On page 2, line 14, of said bill, strike out "are assumed".

Amendment No. 5

On page 2, line 21, of said bill, strike out "assume", and insert "pay or assume, as herein provided,".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Senate Bill No 305 re-referred to the Committee on Ways and Means

RESOLUTIONS

The following resolution was offered:

By Mr. Maloney:

House Resolution No. 254

Relative to congratulating the San Francisco Naval Shipyard on its outstanding record

WHEREAS, The San Francisco Naval Shipyard employs some 10,000 civilians and 2,000 naval personnel in important defense work; and

WHEREAS, The officers and personnel of that shipyard have demonstrated on many occasions patriotism which should be an example to the citizenry of the entire State; and

WHEREAS, As of June, 1950, the civilian and naval personnel of the San Francisco Naval Shipyard has generously donated 4,800 pints of their blood to the Armed Forces of the United States in Korea; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly of the State of California hereby express their admiration and gratitude to the civilian and naval personnel of the San Francisco Naval Shipyard for their outstanding contributions to the defense effort and particularly for their generous donation of their blood to those who are fighting for this Nation and the United Nations in Korea; and be it further

Resolved, That the Assembly hereby calls upon its members and upon the citizenry of the State to emulate the example set by the personnel of the San Francisco Naval Shipyard and to donate their blood to the Armed Forces in Korea as generously as the personnel of the San Francisco Naval Shipyard.

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

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 2211 FROM FILE

Mr. Tomlinson asked for, and was granted, unanimous consent to withdraw the report of the Committee on Conference concerning Assembly Bill No. 2211 from the unfinished business file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1609

Mr. Geddes asked for, and was granted, unanimous consent to take up Senate Bill No. 1609, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1609

Senate Bill No. 1609—An act to amend Section 111 to the Labor Code, relating to workmen's compensation.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brady, Burke, Caldecott, Chapel, Clarke, Cloyed, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following letter of transmittal was ordered printed in the Journal by the Speaker:

Letter of Transmittal

CALIFORNIA LEGISLATURE, STATE CAPITOL
SACRAMENTO, CALIFORNIA, June 21, 1951

Hon. Sam L. Collins
Speaker of the Assembly

Pursuant to instructions to investigate and study problems and conditions of industrial safety by terms of House Resolution No. 269, as amended 1949 Session, we respectfully submit the following report.

(Signed)

EDWARD M. GAFFNEY, Chairman
CHARLES J. CONRAD
WILLIAM CLIFTON BERRY

ANNOUNCEMENT

Speaker Sam L. Collins announced that the above mentioned letter of transmittal, and the above mentioned Report of the Assembly Interim Committee on Industrial Safety have been printed as a separate document.

Copy of report accompanying letter of transmittal ordered filed with the Secretary of State.

REPORTS OF STANDING COMMITTEES

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Senate Bill No. 1760

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

DICKEY, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1760—An act creating the "Solano County Flood Control and Water Conservation District" for the purpose of controlling and conserving storm, flood and other surface waters for any beneficial use, and for the protection of life and property in said district, for the purpose of cooperating and contracting with the United States, the State of California, municipalities, reclamation, irrigation and other certain districts and political subdivisions for the storage and diversion, the transportation and delivery, and the selling or other disposition of such water, and the obtaining of water or water supply and the sale or other distribution of water; to provide for the powers of such district necessary to carry out its purposes including among other powers the right to contract, the right to acquire property and to acquire water or a water supply, the right to purchase and sell water, the right to acquire or construct or have constructed dams, conduits and other works for the control, conservation, diversion, transportation and distribution of such water,

the right to make contributions in aid of construction and acquisition of such works and aid in obtaining water and a water supply, the right to assume indebtedness either as principal, guarantor or underwriter, certain rights to appropriate water, to acquire water rights and to sell water and to collect charges for water used; to provide for the organization, government and management of said district and establish the boundaries thereof, and to provide for certain powers, rights and liability of member units located within or partially within said district, and to provide for the appointment, powers, duties, liabilities and compensation of the officers and employees of said district; to provide certain officers and employees of the County of Solano shall be ex officio officers and employees of said district, to authorize the incurring of indebtedness, the voting and/or issuing and selling of bonds, the voting and/or levying of special assessments; the levying and collection of taxes; to provide that the existence, property and powers of municipalities or public districts and subdivisions located within or partially within said district shall not be affected by this act; and to empower municipalities, water conservation districts, reclamation districts, irrigation districts, flood control districts and any other political subdivision of the State empowered by law to appropriate water and to deliver it to users to enter into contracts with the district and to carry out the terms of said contracts.

Bill read second time.

Consideration of Committee Amendments

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

Amendment No. 1

On page 12, line 3, of the printed bill, as amended in the Senate on June 8, 1951, strike out "a majority", and insert "Four-fifths".

Amendment No. 2

On page 12, line 6, of said bill, strike out "a majority" and insert "four-fifths"

Amendment No. 3

On page 11 of said bill, between lines 39 and 40, insert

"SEC 6 4 The district shall not use any funds which may accrue to it from any source whatsoever to construct, or to bring about, in any way, the construction of any work or works on the Putah Creek prior to November 1, 1953."

Amendment No. 4

On page 2, line 5, of said bill, following "Solano", insert "excepting therefrom the territory lying within the exterior boundaries of the Solano County Irrigation District".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Speaker Pro Tempore Presiding

At 4.20 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1463

Mr. Grant asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1463, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1463—An act to add Section 12.5 to the Municipal Court Act of 1925, relating to compensation of municipal court judges in Los Angeles County and to provide for the compensation of judges of municipal courts established in judicial districts in Los Angeles County.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1463?

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on June 11, 1951, after "the", insert "number and".

Amendment No. 2

On page 1 of said bill, as amended, after line 20, insert

"SEC. 3. Each of the Los Angeles County municipal courts established in judicial districts shall have the number of judges set out below opposite the name of the judicial district over which such court has jurisdiction.

Whittier Municipal Court District	1
San Antonio Municipal Court District	3
East Los Angeles Municipal Court District	2
Inglewood Municipal Court District	2
South Bay Municipal Court District	2
Compton Municipal Court District	3
Downey Municipal Court District	1
Los Angeles Municipal Court District	42
Santa Anita Municipal Court District	1
Alhambra Municipal Court District	2
Los Cerritos Municipal Court District	1
Long Beach Municipal Court District	5
Beverly Hills Municipal Court District	2
Santa Monica Municipal Court District	2
Burbank Municipal Court District	2
Glendale Municipal Court District	2
Pasadena Municipal Court District	3
El Monte Municipal Court District	1
San Jose Municipal Court District	1
South Gate Municipal Court District	1

In any municipal court judicial district which includes a city and township which contains a population of 40,000 or less inhabitants, which city might be constituted a separate municipal court judicial district pursuant to Article VI, Section 11 of the Constitution, there shall be a regular session of the court in such city and the incumbent inferior court judges in such city and township shall, if qualified, become judges of the municipal court in the district including such city; provided, the number of positions to be filled exceeds the number of municipal judges entitled to succeed to judgeships in such district."

Demand for Previous Question

Messrs. Luckel, Evans, Lanterman, Silliman, and Hansen demanded the previous question.

Roll Call Demanded

Messrs. Geddes, Munnell, and Hansen demanded a roll call.

The roll was called, and the demand for the previous question not sustained by the following vote:

AYES—Babbage, Berry, Brown, Caldecott, Clarke, Connolly, Conrad, Crowley, Dills, Dolwig, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hansen, Kelly, Kirkwood, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, McCollister, McMillan, Porter, Rumford, Shaw, Silliman, and Tomlinson—32.

NOES—Beck, Belotti, Brady, Burke, Burkhalter, Chapel, Cloyed, Collier, George D. Collins, Condon, Cooke, Davis, Doyle, Elliott, Erwin, Geddes, Gubser, Henderson, Hollibaugh, Kilpatrick, Klocksiem, Lindsay, Maloney, McCarthy, McFall, Meyers, Morris, Munnell, Parker, Rosenthal, Smith, Stanley, Thomas, and Waters—34.

The question being on the concurrence in Senate amendments to Assembly Bill No. 1463.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1463 by the following vote:

AYES—Babbage, Brady, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Fleury, Grant, Grunsky, Hagen, Hahn, Hansen, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, Morris, Niehouse, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, and Waters—43

NOES—Beck, Belotti, Berry, Burke, Chapel, Collier, George D. Collins, Condon, Elliott, Erwin, Gaffney, Geddes, Gubser, Henderson, Hollibaugh, Kilpatrick, Lindsay, McFall, Meyers, Moss, Munnell, Porter, Rosenthal, Stewart, and Thomas—25

Assembly Bill No. 1463 ordered enrolled.

RESOLUTIONS

The following resolution was offered:

By Messrs. Klocksiem and Grant:

House Resolution No. 255

Relative to the death of Arthur F. Bonzer

WHEREAS, The Members of the House were saddened to hear of the death of Arthur F. Bonzer; and

WHEREAS, Mr. Bonzer was 58 years of age, Eighteenth Congressional District Chairman Republic Central Committee of Los Angeles County and an aggressive leader in Republican Party affairs in the Long Beach area since moving there in 1936 from his native State of North Dakota. He was Mayor of Ledgerwood, N. D. for 14 years, elected a State Senator in North Dakota in 1928 and became Majority Floor Leader from 1933 to 1935; and

WHEREAS, Mr. Bonzer, 32nd Degree Mason, a Shriner, an Elk, a member of the Lions Club, owned the Shady Acres Trailer Park and other property in Long Beach and was Treasurer of the California Motor Court and Trailer Association; and

WHEREAS, Mr. Bonzer, the son of Arthur F. Bonzer, Sr., who moved to Long Beach in 1919 later becoming a city councilman, is survived by his widow, Mrs. Ferne W. Bonzer, two sons, four daughters, a brother and two sisters, now, therefore, be it

Resolved by the Assembly of the State of California, That sincere condolences be hereby extended to the family of Arthur F. Bonzer on their loss; and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitable copies of this resolution to Mrs. Ferne W. Bonzer, 104 Park Avenue, Long Beach, California.

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

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1625

Mr. Shaw asked for, and was granted, unanimous consent to take up Senate Bill No. 1625, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1625

Senate Bill No. 1625—An act to add Chapter 6.5 to Division 2, comprising Sections 2840 to 2895 to the Business and Professions Code, relating to the practice of vocational nursing

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Cooke, Crowley, Dunn, Erwin, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, and Thomas—52.

NOES—Stanley—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2882

Mr. Caldecott asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2882, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2882—An act to add Chapter 6 to Part 1 of Division 3 of Title 2 of the Government Code, to amend Sections 12001, 12100, 12150, 12300, 12302, 12400, 13002, 14002, 15003, 15603, and 18650 of said code, to amend Section 21 of the Agricultural Code, to amend Sections 213 and 230 of the Banking Code, to amend Sections 151, 6512, 7011, 10055, 18626.5, and 19433 of the Business and Professions Code, to amend Section 25301 of the Corporations Code, to amend Sections 141, 144.2, 20924, and 22003 of the Education Code, to amend Sections 213, 230, and 5201 of the Financial Code, to amend Section 1732.6 of the Harbors and Navigation Code, to amend Sections 107 5 and 13101 of the Health and Safety Code, to amend Section 12902 of the Insurance Code, to amend Sections 51, 70.5, 77.5, 80, and 112 of the Labor Code, to amend Section 76 of the Military and Veterans Code, to amend Sections 5051 and 5076 of the Penal Code, to amend Section 3700 of the Political Code, to amend Section 501 of the Public Resources Code, to amend Section 304 of the Public Utilities Code, to amend Section 52 of the Streets and Highways Code, to amend Sections 105, 109, and 139.08 of the Vehicle Code, to amend Sections 130, 152, 1722, and 1723 of the Welfare and Institutions Code, to amend Section 10 of the Public Utilities Act, to amend Section 3 of the State Aeronautics Commission Act, to amend Sections 76 and 77 of the Unemployment Insurance Act, to amend Section 2 of an act entitled "An act to create the Franchise Tax Board, prescribing its powers, duties, jurisdictions, purposes, and functions and abolishing the office of Franchise Tax Commissioner," approved July 25, 1949; to amend Section 2 of an act entitled "An act to provide for the salaries and expenses of the Building and Loan Commissioner, his attorney, deputies, examiners, accountants, appraisers and other assistants; to provide for the disposition of moneys in the 'Building and Loan Inspection Fund' created by Chapter 354 of the Statutes of 1911, as amended; and of moneys collected under the Building and Loan Association Act; and otherwise relating to the Building and Loan Commissioner, his assistants and employees, and to the regulation of building and loan associations," approved June 12, 1931, relating to the salaries of state officers.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2882?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 13, 1951, after "add", insert "Section 14011 and".

Amendment No. 2

In line 11 of the title of said bill, as amended, after "Code," insert "to amend Section 10 of the Fish and Game Code,".

Amendment No. 3

On page 2, lines 8 and 9, of said bill, as amended, strike out "seventeen thousand five hundred dollars ($17,500)", and insert "fifteen thousand dollars ($15,000)".

Amendment No. 4

On page 2 of said bill, as amended, strike out line 15, and insert

"(e) State Controller.

(f) Superintendent of Banks."

Amendment No. 5

On page 2 of said bill, as amended, strike out lines 16 to 18, inclusive.

Amendment No. 6

On page 2 of said bill, as amended, strike out lines 19 and 20, and insert

"11551 A maximum annual salary of fourteen thousand dollars ($14,000) shall be paid to each of the following:

(a) Each member of the Public Utilities Commission.

(b) Secretary of State.

(c) Each member of the State Board of Equalization.

(d) State Treasurer.

(e) Insurance Commissioner.

(f) Lieutenant Governor.

(g) Director of the Department of Fish and Game."

Amendment No. 7

On page 2 of said bill, as amended, strike out lines 21 to 35, inclusive, and insert

"11552. A maximum annual salary of thirteen thousand dollars ($13,000) shall be paid to each of the following:

(a) Director of Corrections.

(b) Director of Public Health.

(c) Director of Agriculture.

(d) Director of Natural Resources."

Amendment No. 8

On page 3 of said bill, as amended, strike out lines 1 to 22, inclusive, and insert

"11553 A maximum annual salary of twelve thousand dollars ($12,000) shall be paid to each of the following:

(a) Director of Social Welfare.

(b) Commissioner of the California Highway Patrol.

(c) Director of Youth Authority.

(d) Director of Motor Vehicles.

(e) Chief of the Division of Public Employment Offices and Benefit Payments.

(f) Each member of the California Unemployment Insurance Appeals Board.

(g) Executive Officer of the Franchise Tax Board.

(h) Chief of the Division of Accounts and Tax Collections.

(i) Director of Professional and Vocational Standards.

(j) Director of Industrial Relations.

(k) Port Manager of the Board of State Harbor Commissioners for San Francisco Harbor.

(l) Commissioner of Corporations.

(m) Real Estate Commissioner."

Amendment No. 9

On page 3 of said bill, as amended, strike out lines 23 to 32, inclusive, and insert

"11554 A maximum annual salary of eleven thousand dollars ($11,000) shall be paid to each of the following:

(a) Special Representative, Department of Public Works.

(b) Secretary of the California Horse Racing Board."

Amendment No. 10

On page 3 of said bill, as amended, strike out lines 33 to 40, inclusive, and insert

"11555 A maximum annual salary of ten thousand dollars ($10,000) shall be paid to each of the following:

(a) Associate Superintendent of Public Instruction (Colleges).

(b) Director of Veterans Affairs.

(c) Each member of the Youth Authority.

(d) Each member of the Adult Authority.

(e) Each member of the Industrial Accident Commission.

(f) Chief Deputy Superintendent of Banks.

(g) Building and Loan Commissioner.

(h) Labor Commissioner.

(i) Chief of the Division of Industrial Safety.

(j) State Fire Marshal.

(k) State Librarian.

(l) Chief of the Division of Industrial Welfare.

(m) Director of Aeronautics.

(n) Chief of the Division of Housing.

(o) Secretary of the State Athletic Commission."

Amendment No. 11

On page 3 of said bill, as amended, strike out lines 41 to 50, inclusive, and insert "11556. A maximum annual salary of nine thousand dollars ($9,000) shall be paid to each of the following.

(a) Associate Superintendent of Public Instruction (Instruction).

(b) Deputy Superintendent of Public Instruction (Special Schools)

(c) Associate Superintendent of Public Instruction (School Administration).

(d) Deputy Superintendent of Public Instruction (Departmental Administration).

(e) Registrar of Contractors.

(f) Deputy State Treasurer."

Amendment No. 12

On page 4, line 1, of said bill, as amended, strike out "11558", and insert "11557".

Amendment No. 13

On page 4, line 5, of said bill, as amended, strike out "11559", and insert "11558".

Amendment No. 14

On page 4 of said bill, as amended, strike out lines 38 to 52, inclusive.

Amendment No. 15

On page 5 of said bill, as amended, strike out lines 1 to 29, inclusive.

Amendment No. 16

On page 5 of said bill, as amended, strike out lines 34 to 37, inclusive, and insert "his office. No salary fixed under this section shall exceed twelve thousand dollars ($12,000) annually."

Amendment No. 17

On page 6 of said bill, as amended, between lines 30 and 31, insert

"SEC. 9.5. Section 14011 is added to the Government Code, to read:

14011. The position, heretofore classified by the State Personnel Board under the title Special Representative, Department of Public Works, is hereby continued and shall be deemed to be a statutory office."

Amendment No. 18

On page 6 of said bill, as amended, strike out lines 35 to 38, inclusive, and insert "and his compensation shall be fixed by the Attorney General at not to exceed twelve thousand dollars ($12,000) per year. The deputy director shall be a"

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

Amendment No. 19

On page 9 of said bill, as amended, between lines 47 and 48, insert

"SEC. 29.5. Section 10 of the Fish and Game Code is amended to read:

10. There is in the State Government a Department of Fish and Game, which department shall be administered through a director. The director shall be guided by policies adopted by the Fish and Game Commission provided for by Section 25½ of Article IV of the Constitution of this State. The director shall be appointed by the Governor. [The salary of the director shall be twelve thousand dollars ($12,000) per year.] *The annual salary of the director is provided for by Chapter 6 of Part 1 of Division 3 of Title 2 of the Government Code.*"

Amendment No. 20

On page 2 of the printed bill, as amended, between lines 7 and 8, insert

"11550. A maximum salary of seventeen thousand five hundred dollars ($17,500) shall be paid to each of the following:

(a) Director of Finance."

Amendment No. 21

On page 2, line 8, of said bill, as amended, strike out "11550", and insert "11550.3".

Amendment No. 22

On page 2 of said bill, as amended, strike out line 12.

Amendment No. 23

On page 2, line 13, of said bill, as amended, strike out "(c)", and insert "(b)".

Amendment No. 24

On page 2, line 14, of said bill, as amended, strike out "(d)", and insert "(c)".

Amendment No. 25

On page 2, line 16, of said bill, as amended, strike out "(e)", and insert "(d)".

Amendment No. 26

On page 2, line 17, of said bill, as amended, strike out "(f)", and insert "(e)".

Amendment No. 27

On page 4 of said bill, between lines 6 and 7, insert
"(n) Director of Veterans Affairs
(o) Building and Loan Commissioner."

Amendment No. 28

On page 4 of said bill, as amended, strike out line 32.

Amendment No. 29

On page 4, line 33, of said bill, as amended, strike out "(c)", and insert "(b)".

Amendment No. 30

On page 4, line 34, of said bill, as amended, strike out "(d)", and insert "(c)".

Amendment No. 31

On page 4, line 35, of said bill, as amended, strike out "(e)", and insert "(d)".

Amendment No. 32

On page 4, line 36, of said bill, as amended, strike out "(f)", and insert "(e)".

Amendment No. 33

On page 4 of said bill, as amended, strike out line 37

Amendment No. 34

On page 4, line 38, of said bill, as amended, strike out "(h)", and insert "(f)".

Amendment No. 35

On page 4, line 39, of said bill, as amended, strike out "(i)", and insert "(g)".

Amendment No. 36

On page 4, line 40, of said bill, as amended, strike out "(j)", and insert "(h)".

Amendment No. 37

On page 4, line 41, of said bill, as amended, strike out "(k)", and insert "(i)".

Amendment No. 38

On page 4, line 42, of said bill, as amended, strike out "(l)", and insert "(j)"

Amendment No. 39

On page 4, line 43, of said bill, as amended, strike out "(m)", and insert "(k)".

Amendment No. 40

On page 4, line 44, of said bill, as amended, strike out "(n)", and insert "(l)".

Amendment No. 41

On page 4 of said bill, as amended, strike out line 45.

Amendment No. 42

On page 9 of said bill, as amended, strike out lines 38 and 39, and insert "shall receive such salary as is fixed in accordance with the civil service law"

Amendment No. 43

On page 9 of said bill, as amended, in lines 43 and 44, strike out "the annual salary provided for by Chapter 6 of Part 1 of Division 3 of Title 2 of the Government Code", and insert "such salary as is fixed in accordance with civil service law,"

Amendment No. 44

On page 4 of the printed bill, as amended in the Senate on June 14, 1951, between lines 45 and 46, insert
"(p) Registrar of Contractors"

Amendment No. 45

On page 5 of said bill, as amended, strike out line 13.

Amendment No. 46

On page 5, line 14, of said bill, as amended, strike out "(f)", and insert "(e)".

Amendment No. 47

On page 2 of the printed bill, as amended in the Senate on June 14, 1951, between lines 17 and 18, insert

"(g) Director of Public Health".

Amendment No. 48

On page 3 of said bill, as amended, strike out line 16; and in line 17, strike out "(c)", and insert "(b)".

Amendment No. 49

On page 3, line 18, of said bill, as amended, strike out "(d)", and insert "(c)".

Amendment No. 50

On page 4 of the printed bill, as amended in the Senate on June 14, 1951, between lines 17 and 18, insert

"(a) State Fire Marshal."

Amendment No. 51

On page 4, line 18, of said bill, as amended, strike out "(a)", and insert "(b)".

Amendment No. 52

On page 4, line 19, of said bill, as amended, strike out "(b)", and insert "(c)".

Amendment No. 53

On page 4 of said bill, as amended, strike out line 40.

Amendment No. 54

On page 4 of the printed bill, as amended in the Senate on June 14, 1951, between lines 19 and 20, insert

"(c) The member of the Industrial Accident Commission, designated as chairman."

Amendment No. 55

On page 4, line 35, of said bill, as amended, after "Commission", insert "except the member designated as chairman".

Amendment No. 56

On page 2 of the printed bill, as amended in the Senate on June 14, 1951, between lines 31 and 32, insert

"(h) Executive Officer of the Franchise Tax Board."

Amendment No. 57

On page 3 of said bill, as amended, strike out line 51.

Amendment No. 58

On page 3, line 52, of said bill, as amended, strike out "(h)", and insert "(g)".

Amendment No. 59

On page 4, line 1, of said bill, as amended, strike out "(i)", and insert "(h)".

Amendment No. 60

On page 4, line 2, of said bill, as amended, strike out "(j)", and insert "(i)".

Amendment No. 61

On page 4, line 3, of said bill, as amended, strike out "(k)", and insert "(j)".

Amendment No. 62

On page 4, line 5, of said bill, as amended, strike out "(*l*)", and insert "(k)".

Amendment No. 63

On page 4, line 6, of said bill, as amended, strike out "(m)", and insert "(*l*)".

Amendment No. 64

On page 2 of the printed bill, as amended in the Senate on June 14, 1951, between lines 17 and 18, insert

"(g) Each member of the Public Utilities Commission".

Amendment No. 65

On page 2, line 25, of said bill, as amended, strike out "Public Utilities Commission", and insert "California Unemployment Insurance Appeals Board".

Amendment No. 66

On page 3 of said bill, as amended, strike out lines 49 and 50.

Amendment No. 67

On page 3, line 51, of said bill, as amended, strike out "(g)", and insert "(f)".

Amendment No. 68

On page 3, line 52, of said bill, as amended, strike out "(h)", and insert "(g)".

Amendment No. 69

On page 4, line 1, of said bill, as amended, strike out "(i)", and insert "(h)".

Amendment No. 70

On page 4, line 2, of said bill, as amended, strike out "(j)", and insert "(i)".

Amendment No. 71

On page 4, line 3, of said bill, as amended, strike out "(k)", and insert "(j)".

Amendment No. 72

On page 4, line 5, of said bill, as amended, strike out "(*l*)", and insert "(k)".

Amendment No. 73

On page 4, line 6, of said bill, as amended, strike out "(m)", and insert "(*l*)".

Amendment No. 74

In line 16 of the title of the printed bill, as amended in the Senate on June 14, 1951, after "80," insert "123".

Amendment No. 75

On page 19 of said bill, as amended, after line 40, insert

"SEC. 63. Section 123 of the Labor Code is amended to read

123 The commission may employ necessary assistants, officers, experts, statisticians, actuaries, accountants, inspectors, referees and other employees to perform the duties and exercise the powers which are under the jurisdiction of the commission. *The salaries of the referees shall be fixed by the State Personnel Board, but not at less than a range of six hundred seventy-six dollars ($676), seven hundred ten dollars ($710), seven hundred forty-five dollars ($745), seven hundred eighty-two dollars ($782), eight hundred twenty-one dollars ($821).*"

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 2882 by the following vote:

AYES—Babbage, Belotti, Caldecott, Hansen, Moss, and Waters—6

NOES—Berry, Brady, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hahn, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Levering Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Munnell, Nichouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, and Tomlinson—53

Appointment of Committee on Conference Concerning Assembly Bill No. 2882

The Speaker announced the appointment of Messrs. Caldecott, Tomlinson, and Thomas as a Committee on Conference concerning Assembly Bill No. 2882.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 356

Mr. Sherwin asked for, and was granted, unanimous consent to take up Senate Bill No. 356, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 356

Senate Bill No. 356—An act authorizing the Director of Finance to grant certain rights of way to the City of Berkeley and to pay the City of Berkeley the costs incurred by that city in the widening and paving of certain streets in exchange for certain property, and making an appropriation therefor.

Bill read third time.

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

AYES—Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holibaugh, Kilpatrick, Kirkwood, Klocksiem, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Rosenthal, Rumford, Sherwin, Smith, Stanley, and Stewart—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1462

Mr. Dunn asked for, and was granted unanimous consent to take up Senate Bill No. 1462, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1462

Senate Bill No. 1462—An act to repeal Sections 3223, 4711, 4712, 4713, 4726, 4727, 4729, 5008, 8821.1, and 13043 of the Education Code; to amend Sections 1012, 1597.2, 1941, 2861, 4667, 4728, 5942, 8103, and 16813 of said code; to amend Section 672 of the Welfare and Institutions Code; and to repeal an act entitled "An act providing for the acceptance, receipt and disposition of property by the State Board of Education, and making an appropriation, declaring the urgency thereof, to take effect immediately," approved June 25, 1945 (Chapter 1046, Statutes of 1945), all relating to the Public School System.

Bill read third time.

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

AYES—Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—61

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 317

Mr. Dunn asked for, and was granted unanimous consent to take up Senate Bill No. 317, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 317

Senate Bill No. 317—An act to add Sections 12105.1 and 12105.2 to the Education Code, relating to applicants for certification documents authorizing service in the public schools.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, Morris, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—57.

NOES—George D. Collins, Condon, and Elliott—3.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 874

Mr. Condon asked for, and was granted unanimous consent to take up Senate Bill No. 874, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 874

Senate Bill No. 874—An act to add Section 1556.1 to and to amend Section 1557 of, the Labor Code, relating to employment agencies.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 819

Mr. Cloyed asked for, and was granted unanimous consent to take up Senate Bill No. 819, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 819

Senate Bill No. 819—An act for the construction and development of water resources in the Cuyamaca State Park, and making an appropriation therefor.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, and Waters—71.

NOES—None.

Bill ordered transmitted to the Senate.

Ma 6408

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 5.15 p.m., Mr. Brown asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Judiciary in the Post Office, at this time.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 617

Mr. Hinckley asked for, and was granted unanimous consent to take up Senate Bill No. 617, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 617

Senate Bill No. 617—An act to provide for the regulation and licensing of interference or attempts to interfere by artificial means with natural condensation and precipitation of rain, snow, moisture or water in any form contained in the atmosphere; to provide for the enforcement of said act and penalties for the violation thereof.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, and Waters—60

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 5.25 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

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

House Resolution No. 241
House Resolution No. 242

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

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 22, 1951

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

Assembly Bill No. 892
Assembly Bill No. 1412
Assembly Bill No. 1418
Assembly Bill No. 2795
Assembly Bill No. 2885

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

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 22, 1951

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

Senate Concurrent Resolution No. 94
Senate Concurrent Resolution No. 95

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

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Concurrent Resolution No. 94—Relative to effecting adequate information to California suppliers and declaring public policy thereon.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 95—Relative to the creation of the Joint Interim Committee on Narcotics and Hypnotics.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 29

Mr. Babbage asked for, and was granted unanimous consent to take up Senate Bill No. 29, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 29

Senate Bill No. 29—An act to amend Sections 4965 and 7431 of the Education Code, relating to bonded capacity of school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Request for Unanimous Consent to Expunge Record, and Rescind Action on Adoption of Amendments by Mr. Kirkwood to Senate Bill No. 29

Mr. Kirkwood asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, adopted the amendments offered by him to Senate Bill No. 29.

The question being on the passage of Senate Bill No. 29.

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

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—61

NOES—Cloyed—1.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1835

Mr. McCarthy asked for, and was granted unanimous consent to take up Senate Bill No. 1835, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1835

Senate Bill No. 1835—An act to amend Section 117 of the Labor Code, relating to offices and rooms for the Industrial Accident Commission.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Thomas, Tomlinson, and Waters—62.

NOES—Lanterman, Levering, and Luckel—3.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 22, 1951

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

Assembly Bill No 248	Assembly Bill No 1071
Assembly Bill No 361	Assembly Bill No. 1188
Assembly Bill No. 382	Assembly Bill No. 1235
Assembly Bill No. 621	

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

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

Above bills ordered to unfinished business file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1840

Mr. McCarthy asked for, and was granted unanimous consent to take up Senate Bill No. 1840, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1840

Senate Bill No. 1840—An act to add Section 115 to the Business and Professions Code, relating to the reinstatement of licenses by persons serving in the Armed Forces.

Bill read third time.

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

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

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 919

Mr. Kirkwood asked for, and was granted, unanimous consent to take up Senate Bill No. 919, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 919

Senate Bill No. 919—An act to amend Sections 753, 2001, 2002, 2004, and 2005 of; to amend and renumber Sections 755, 756, 758, 759, 760, 1831, 1832, 1833, 1834, 1835, 1839, 1840, 1841, 1842, and 1843 of; to add Sections 1840.5 and 2006 to; and to repeal Sections 754, 757, 1836, 1837, 1904, 1905, 1906, 1907, and 1908 of the Revenue and Taxation Code, relating to property taxation and the allocation of state funds; declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—Silliman—1.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—Silliman—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 949

Mr. Kirkwood asked for, and was granted unanimous consent to take up Senate Bill No. 949, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 949

Senate Bill No. 949—An act to repeal Sections 1510, 1511, and 1512 of the Welfare and Institutions Code, and to add Sections 1510, 1511, 1511.3, 1511.5, 1511.7, and 1512 thereto, relating to aid to needy children, in respect to the amount of aid.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68

NOES—George D. Collins and Elliott—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 439

Mr. Lowrey asked for, and was granted, unanimous consent to take up Senate Bill No. 439, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 439

Senate Bill No. 439—An act to amend add Section 4901.7 to the Education Code, relating to the selection of members of the County Committee on School District Organization.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1672

Mr. Grunsky asked for, and was granted unanimous consent to take up Senate Bill No. 1672, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1672

Senate Bill No. 1672—An act to amend Sections 2, 5, and 6 of the Alcoholic Beverage Control Act, relating to alcoholic beverages and licenses of wine brokers.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 116

Mr. Grunsky asked for, and was granted unanimous consent to take up Senate Bill No. 116, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 116

Senate Bill No. 116—An act to amend Sections 270 and 278 of the Vehicle Code, relating to operators' and chauffeurs' licenses.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—Cloyed, Dunn, and Evans—3.

Bill ordered transmitted to the Senate.

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

The following resolution was offered:

Assembly Concurrent Resolution No. 107: By Mr. Maloney—Relative to the declaration of November 16, 1951, as Loyal Order of Moose Day in California.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 22, 1951

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

Senate Bill No. 65	Senate Bill No. 1818
Senate Bill No. 543	Senate Bill No. 953
Senate Bill No. 596	Senate Bill No. 954
Senate Bill No. 783	Senate Bill No. 957
Senate Bill No. 975	Senate Bill No. 1198
Senate Bill No. 1469	Senate Bill No. 1227

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

SENATE CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1490—An act to amend Section 8 of the Dangerous Weapons Control Law, relating to the issuance of licenses to carry concealed pistols, revolvers and other firearms.

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

Assembly Bill No. 1490 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 22, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1967—An act to amend Section 428 of the Fish and Game Code, relating to fishing licenses.

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

Assembly Bill No. 1967 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1821

Mr. Henderson asked for, and was granted unanimous consent to take up Senate Bill No. 1821, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1821

Senate Bill No. 1821—An act to repeal Section 1628a of the Business and Professions Code, relating to examinations for admission to the practice of dentistry.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 600

Mr. Lindsay asked for, and was granted unanimous consent to take up Senate Bill No 600, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 600

Senate Bill No. 600—An act to add Sections 30701.5 and 30735.5 to, and to amend Section 30748 of, the Water Code, relating to the election of directors of county water districts.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McGee, Meyers, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—54.

NOES—George D. Collins, Condon, Dunn, Elliott, Evans, Hagen, Hawkins, and Lowrey—8.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 979

Mr. Lindsay asked for, and was granted, unanimous consent to take up Senate Bill No. 979, temporarily passed on file

CONSIDERATION OF SENATE BILL NO. 979

Senate Bill No. 979—An act to amend Section 447 of the Education Code, relating to county school superintendents' salaries in counties of the forty-seventh class.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Davis, Dickey, Dunn, Erwin, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Henderson, Hinckley, Hollibaugh,

Kelly, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—55

NOES—Evans and Geddes—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 42

Mr. Lindsay asked for, and was granted unanimous consent to take up Senate Bill No. 42, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 42

Senate Bill No. 42—An act to add Article 7 to Chapter 2, Part 6, Division 12 of the Water Code, relating to county water districts.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Burke, Chapel, Clarke, Collier, George D. Collins, Condon, Cooke, Davis, Dickey, Doyle, Erwin, Fleury, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—51.

NOES—Brady, Evans, and Gaffney—3.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 22, 1951

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

Senate Bill No. 261—An act to amend Section 22257 of the Water Code, relating to water distribution by irrigation districts.

And appointed Senators Donnelly, Williams, and Hulse as a Committee on Conference to meet a like committee from the Assembly.

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

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 261

The Speaker announced the appointment of Messrs Brown, Grunsky, and Hansen as a Committee on Conference concerning Senate Bill No. 261.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 22, 1951

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

Senate Bill No. 639—An act to amend Sections 4, 5, and 6 of the City Carriers' Act and Sections 3631, 3632, and 3634 of the Public Utilities Code, relating to city carriers.

And appointed Senators Regan, Thompson, and Harold T Johnson as a Committee on Conference to meet a like committee from the Assembly

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

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 639

The Speaker announced the appointment of Messrs. Grunsky, Kirkwood, and Gaffney as a Committee on Conference concerning Senate Bill No. 639.

RECESS

At 6.04 p.m., on motion of Mr. Waters, the Assembly recessed until 8 p.m.

REASSEMBLED

At 8 p.m., the Assembly reconvened.

Hon. John E. Moss, Jr, Member of the Assembly from the Ninth District, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

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

Assembly Bill No. 1436
Assembly Bill No. 1440

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

BROWN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 1436—An act providing for the constitution of the municipal court in a district embracing the City of Whittier, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 3, 1951, strike out line 1, and insert

"SECTION 1 The municipal court established in a district embracing the City of Whittier shall be constituted, and the judges shall receive compensation as follows:

There shall be two judges each of whom shall receive the salary provided by law but not less than twelve thousand five hundred dollars ($12,500) per annum."

Amendment No. 2

On page 1 of said bill, strike out lines 2 to 26, inclusive; and strike out the remainder of the bill

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1440—An act providing for the constitution of the municipal court in a district embracing the Towns of East Los Angeles and Belvedere, Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

Strike out lines 2 and 3 of the title of the printed bill, as amended in the Assembly on May 3, 1951, and insert "a district known and designated as East Los Angeles Municipal Court District, and pre-".

Amendment No. 2

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

"SECTION 1. The municipal court established in a district known and designated as East Los Angeles Municipal Court District, shall be constituted and the judges thereof shall receive compensation as follows.

There shall be three judges each of whom shall receive the salary provided by law but not less than twelve thousand five hundred dollars ($12,500) per annum."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 22, inclusive; and strike out the remainder of the bill.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT RUSH ORDER BE PLACED UPON PRINTING OF ASSEMBLY BILLS NOS. 1436 AND 1440

Mr. Brown asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bills Nos. 1436 and 1440.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

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

Assembly Bill No. 1419
Assembly Bill No 1458

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

BROWN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 1419—An act providing for the constitution of the municipal court in a district embracing the City of Inglewood, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 4 to 11, inclusive, and insert "as follows:

(1) There shall be three judges, each of whom shall receive the salary provided by law but not less than twelve thousand five hundred dollars ($12,500) per annum."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1458—An act providing for the constitution of the municipal court in a district embracing the City of South Gate, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

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

"SECTION 1 The municipal court established in in a district embracing the City of South Gate shall be constituted and the judges thereof shall receive compensation as follows:

There shall be two judges each of whom shall receive the compensation provided by law but not less than twelve thousand five hundred dollars ($12,500) per annum."

Amendment No. 2

On page 1 of said bill, strike out lines 2 to 7, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT RUSH ORDER BE PLACED UPON PRINTING OF ASSEMBLY BILLS NOS. 1419 AND 1458

Mr. Brown asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bills Nos. 1419 and 1458.

RESOLUTIONS

The following resolution was offered:

By Mr. Hagen:

House Resolution No. 256

Relative to directing the Assembly Interim Committee on Conservation, Planning and Public Works to undertake a special investigation

Resolved by the Assembly of the State of California, That in addition to the duties imposed on it by the resolution creating it, the Assembly Interim Committee on Conservation, Planning and Public Works is authorized and directed to ascertain, study and analyze all facts relating to the subject matter expressed in House Resolution No. 224 of this session of the Legislature and to report to the Legislature at its 1953 Regular Session.

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

Speaker Presiding

At 8.25 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 43

Mr. Lindsay asked for, and was granted unanimous consent to take up Senate Bill No. 43, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 43

Senate Bill No. 43—An act to add Section 31022.5 to the Water Code, relating to county water districts.

Bill read third time.

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

AYES—Belotti, Burke, Caldecott, Clarke, Cloyed, Condon, Connolly, Conrad, Cooke, Crowley, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Levering, Lindsay, Lowrey, Luckel, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Porter, Rosenthal, Shaw, Silliman, Stanley, Thomas, and Mr. Speaker—43

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1838

Mr. Hansen asked for, and was granted unanimous consent to take up Senate Bill No. 1838, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1838

Senate Bill No. 1838—An act to add Sections 37 and 38 to the Construction and Employment Act, relating to the allocation of funds to cities, and making an appropriation therefor.

Bill read third time, and ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 527

Mr. McCollister asked for, and was granted unanimous consent to take up Senate Bill No. 527, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 527

Senate Bill No. 527—An act to add Section 6060.8 to the Business and Professions Code, relating to bar examinations of veterans.

Bill read third time.

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

AYES—Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, George D Collins, Condon, Conrad, Cooke, Crowley, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Stanley, Stewart, and Waters—49.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 679

Mr. Rosenthal asked for, and was granted unanimous consent to take up Senate Bill No. 679, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 679

Senate Bill No. 679—An act to add Section 35 to Chapter 1, Title 1, Part 1 of the Code of Civil Procedure, relating to courts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Condon, Connolly, Conrad, Cooke, Crowley, Dolwig, Doyle, Elliott, Erwin,

Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rosenthal, Rumford, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—55.

NOES—George D. Collins—1.

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

AYES—Babbage, Beck, Belotti, Berry, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Condon, Connolly, Conrad, Cooke, Crowley, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rosenthal, Rumford, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—55.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1819

Mr. McCollister asked for, and was granted unanimous consent to take up Senate bill No. 1819, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1819

Senate Bill No. 1819—An act conveying certain tidelands and lands lying under inland navigable waters, situate in Bodega Harbor to the County of Sonoma, in furtherance of navigation and commerce and the fisheries and for public recreational purposes, and providing for the government, management and control thereof, reserving rights to the State.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Stanley, Stewart, Tomlinson, and Waters—55.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 512

Mr. McCollister asked for, and was granted unanimous consent to take up Senate Bill No. 512, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 512

Senate Bill No. 512—An act making an appropriation to the Department of Agriculture for completing construction of the Poultry and Animal Disease Diagnostic and Testing Laboratory at Petaluma.

Bill read third time.

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

AYES—Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen,

Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Waters—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1155

Mr. Lindsay asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Senate Bill No. 1155, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

MR SPEAKER. The Committee on Conference concerning

Senate Bill No. 1155 (As amended in Assembly June 19, 1951)—An act to amend Section 28131 of the Government Code and Section 431 of the Education Code, relating to compensation for public services in counties of the thirty-first class

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following.

That the amendments of the Assembly be concurred in and that the bill be further amended as follows

Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Assembly on June 19, 1951, after "business", insert ", not to exceed one thousand two hundred dollars ($1,200) in any one year".

Amendment No. 2

On page 2, line 14, of said bill, strike out "elementary or secondary", and insert "general".

HAROLD T. JOHNSON	LINDSAY
REGAN	GUBSER
MAYO	HANSEN
Senate Committee on Conference	Assembly Committee on Conference

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

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—61.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3390

Mr. Lowrey asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 3390, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3390—An act creating the "Yolo County Flood Control and Water Conservation District" for the acquisition, controlling, conservation, diversion, storage and disposition of storm, flood, and

other surface waters, prescribing the boundaries, organization, operation, management, financing and powers and duties of the district.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 3390?

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on May 25, 1951, after "thereof", insert ", exclusive of the area within reclamation districts Nos 108, 150, 307, 537, 730, 752, 765, 785, 787, 811, 819, 820, 821, 827, 900, 999, 1009, 1600, 2035, 2068, and 2076, the Knights Landing Ridge Drainage District, the Sacramento River West Side Levee District, and the Washington Levee District on the effective date of this act".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 3390 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lindsay, Lowrey Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr Speaker—61.

NOES—Hagen and Henderson—2.

Assembly Bill No. 3390 ordered enrolled

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2936

Mr. Lowrey asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2936, temporarily passed on file

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2936—An act to add Section 7.7 to the Unemployment Insurance Act, relating to agricultural labor.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2936?

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Assembly on May 24, 1951, after "leveling", insert "for agricultural purposes".

Amendment No. 2

On page 1, line 17, of said bill, as amended, after "cutting," insert "threshing,".

Amendment No. 3

On page 2, line 27, of said bill, as amended, after "farm", insert "in connection with ordinary farming operations".

Amendment No. 4

On page 2, line 33, of said bill as amended, after "sumption", insert ", or to manufacturing or commercial operations as distinguished from ordinary farming operations".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2936 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon,

Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—60.

NOES—Henderson—1.

Assembly Bill No. 2936 ordered enrolled.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 22, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 908, entitled: "An act to amend Section 3 of, and to add Sections 3 5 and 30.02 to, the Public Utility District Act, relating to public utility districts."

My objections to the bill are as follows:

This bill amends the Public Utility District Act to provide that existing public utility districts may not engage in any activity authorized by law other than those in which they are engaged on the effective date of the bill, unless authorized by a vote of the electors or by an ordinance of the board of directors. Such an ordinance could not go into effect for 30 days, during which period it would be subject to a referendum if 15 percent of the electors of the district petition for a referendum vote on the measure. As to utility districts hereafter formed, this act provides that the petition for formation shall recite the services which it is sought to render to the public by such districts and it is provided that the scope of such services may not thereafter be enlarged except by vote of the people.

This bill was introduced as one of a series of bills sponsored by the public utilities districts. After the February recess it was amended to accomplish the purposes above stated which are entirely different from and unrelated to the purposes for which it was originally introduced.

I have not been requested to sign the bill by any public utility district, nor by any resident of a public utility district. On the contrary, I have been asked to disapprove the bill by the Public Utilities Districts Association, by the California Municipal Utilities Association and by several public utility districts. It has been pointed out to me that several of the districts are now engaged in the process of planning or constructing works to provide services to their residents that they are not now providing. One district has partially completed a sewage disposal plant, which is not in operation and will not be in operation on the effective date of this law. Should this law be approved, all construction towards this plant would have to be suspended until the adoption of an ordinance and a wait of 30 days to ascertain whether or not a referendum petition is to be filed against it. Several districts are in a similar situation. No useful purpose would be served by thrusting such restrictions on utility districts, or the residents of utility districts, when not requested by them. Public utility districts have been authorized since 1913 and more than sixty have been established. They have served a useful purpose in the State. They have had an orderly development and have presented no problems that should call for such an abridgement of their well settled powers.

For these reasons, I am returning the bill without my approval.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgement of Receipt of Assembly Bill No. 908

June 22, 1951

I acknowledge receipt this twenty-second day of June, 1951, at 8 35 o'clock p.m., of Assembly Bill No. 908 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

Assembly Bill No. 908 ordered to unfinished business file.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 21, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 2453, entitled: "An act to amend Section 1295 of the Penal Code, relating to bail and deposits instead of bail"

My objections to the bill are as follows:

This bill would add to the present authorization for a jailer to accept cash in lieu of bail when the amount is $250 or less This bill would authorize such jailer to accept surety bonds. This would include authority to approve the bond in accordance with the instructions of the presiding magistrate of the court having jurisdiction in the area in which the jail is situated. The approval of bail is essentially a judicial act involving discretion and it is not desirable to delegate it to jailers. The legislative committees of the District Attorneys' and the Peace Officers' Associations have called my attention to the inadvisability of this bill. They recommend that the question of the sufficiency of a surety bond, its validity, and form should be personally passed upon by a judge after examination and due consideration I agree with this view in the ordinary case and, for this reason, I am returning the bill without my signature

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 2453

June 21, 1951

I acknowledge receipt this twenty-second day of June, 1951, at 8.35 o'clock p.m., of Assembly Bill No. 2453 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

Assembly Bill No. 2453 ordered to unfinished business file

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 22, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 2665, entitled: "An act to amend Section 5699 of the Elections Code, relating to casting of ballots."

My objections to the bill are as follows:

This bill amends Section 5699 of the Elections Code which provides that employees may on certain election days have two hours off from work during the time when the polls are open. This bill would greatly restrict this provision by making it inapplicable if the employee has two consecutive hours, either before or after his scheduled hours of employment, during the period when the polls are open Provision is made for an extra one-half hour in the event transportation time makes such provision necessary.

I believe that it is in the interest of sound government for our working people to be encouraged to vote and that it is not too much to ask of an employer to encourage widespread voting by releasing his employees for a period of time on election day. The exercise of the right of franchise should be encouraged rather than discouraged Since this provision has been on our statute books for 60 years, I do not believe that it should now be seriously impaired. I believe that employers and employees should cooperate in the exercise of this right. If the bill merely required notice on the part of the employee of the time he required for voting, and within reasonable limits provided for the time to be taken so that it would least interfere with the employee's work, I would be willing to sign it. However, this bill goes much further.

It provides that the employer may not only specify the time of absence but also provides that he shall grant such additional time as is necessary not to exceed one-half hour in those cases where two hours is inadequate for travel between the voter's polling place and his place of employment This provision would itself be provocative of disputes. It appears to me that it is not desirable to tinker in this manner with a law that has been in existence for 60 years and which, with the exception of two minor cases presented to me, has worked satisfactorily and in furtherance of sound public policy for such a period of time. The two instances used as an argument for this bill involved not more than one hundred employees altogether.

This bill was a highly controversial one in the Legislature and passed in the Assembly by a vote of 41 to 36. The Assembly concurred in Senate amendments by a

vote of 43 to 22. The Senate adopted the bill by a vote of 22 to 11. In view of the long existence of this right and the few instances of abuse that have been claimed, I am returning the bill, which restricts this right, without my approval.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 2665

June 22, 1951

I acknowledge receipt this twenty-second day of June, 1951, at 8.30 o'clock p.m., of Assembly Bill No. 2665 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

Assembly Bill No. 2665 ordered to unfinished business file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1439

Mr. Babbage asked for, and was granted unanimous consent to take up Senate Bill No. 1439, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1439

Senate Bill No. 1439—An act to repeal Section 6851.1 of the Education Code, to amend Section 6851 of said code, and to add Section 6851.1 to said code, all relating to the computation of attendance of physically handicapped minors.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Waters—61

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Shaw:

Resolved, That Senate Bill No. 1759 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—68

NOES—None.

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

CONSIDERATION OF SENATE BILL NO. 1759

Senate Bill No. 1759—An act to add Section 214.4 to the Revenue and Taxation Code, relating to the exemption of property for purposes of property taxation.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Mr Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 66

Mr. Cooke asked for, and was granted, unanimous consent to take up Senate Bill No. 66, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 66

Senate Bill No. 66—An act to amend Section 3 of an act entitled "An act relating to the performance by the Department of Public Works of highway and other cooperative work for the Federal Government, making an appropriation for administrative expenses, declaring the urgency thereof, and providing that this act shall take effect immediately," approved October 13, 1950, relating to the time during which said act shall remain in effect.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters and Mr. Speaker—64.

NOES—None

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1833

Mr. Cooke asked for, and was granted, unanimous consent to take up Senate Bill No. 1833, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1833

Senate Bill No. 1833—An act to amend the heading of Article 5.1, and to add Article 5.2 to, Chapter 11, Division 2, of the Education Code; to add Section 3534 to said code; and to repeal Section 4919.2 of said code, relating to school districts.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Thomas, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF SENATE BILL NO. 41

Mr. Lindsay asked for, and was granted, unanimous consent to take up further consideration of Senate Bill No. 41.

FURTHER CONSIDERATION OF SENATE BILL NO. 41

Senate Bill No. 41—An act to add Part 1.5, comprising Sections 10100 to 10108, inclusive, to Division 6 of the Water Code, relating to implementation of the State Water Plan.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Burke, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Thomas, Waters, and Mr. Speaker—59.
NOES—Hagen and Henderson—2

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1492

Mr. Connolly asked for, and was granted, unanimous consent to take up Senate Bill No. 1492, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1492

Senate Bill No. 1492—An act to amend Section 20383 of the Education Code, and to add Section 20383.5 to said code, relating to leaves of absence of state college faculty members.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 300

Mr. Moss asked for, and was granted, unanimous consent to take up Senate Bill No. 300, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 300

Senate Bill No. 300—An act to amend Sections 5153 5, 7102.1, and 7104 of the Education Code, relating to the excess cost of educating mentally retarded pupils.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Waters—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF SENATE BILL NO. 1838

Mr. Hansen asked for, and was granted unanimous consent to take up further consideration of Senate Bill No. 1838, temporarily passed on file.

FURTHER CONSIDERATION OF SENATE BILL NO. 1838

Senate Bill No. 1838—An act to add Sections 37 and 38 to the Construction and Employment Act, relating to the allocation of funds to cities, and making an appropriation therefor.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Waters—62.

NOES—George D. Collins and Kilpatrick—2

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1054

Mr. Hinckley asked for, and was granted unanimous consent to take up Senate Bill No. 1054, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1054

Senate Bill No. 1054—An act to amend Section 11200 of, and to add a new Article 9.5 to Chapter 2, Part 3, Division 6, and to amend Sections 11700, 11701, and 11702, of the Water Code, relating to the Central Valley Project; authorizing certain investigations, studies, and preparation of plans and specifications for purposes thereof, and making an appropriation therefor.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Stanley, and Waters—52

NOES—Dills, Geddes, Grant, Lanterman, Levering, Lyon, McGee, McMillan, and Rumford—9.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONSTITUTIONAL AMENDMENT NO. 30

Mr. Waters asked for, and was granted unanimous consent to take up Senate Constitutional Amendment No. 30, temporarily passed on file.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NO. 30

Senate Constitutional Amendment No. 30—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article IV thereof a new section to be numbered 1e, relating to the submission of initiative measures to the electors.

Resolution read.

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

AYES—Cloyed, Collier, Fleury, Geddes, Hansen, Hinckley, Kelly, Kirkwood, Lindsay, Maloney, McGee, Sherwin, Silliman, and Waters—14.

NOES—Beck, Belotti, Berry, Brady, Brown, Chapel, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Evans, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Stanley, and Stewart—51.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 2625

Mr. Grunsky asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Assembly Bill No. 2625, temporarily passed on file.

UNFINISHED BUSINESS (RESUMED)
REPORT OF COMMITTEE ON CONFERENCE

The following report of Committe on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 2625—An act to amend Sections 736 and 736a of the Political Code and Sections 41 and 61 of the Code of Civil Procedure, relating to the salaries of Justices of the Supreme Court and of the district courts of appeal.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows.

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Senate on June 18, 1951, strike out "Sections 736 and 736a of the Political Code and".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 17, inclusive; and in line 18, strike out "SEC. 3", and insert

"SECTION 1".

Amendment No. 3

On page 2, line 1, of said bill, strike out "nineteen thousand dollars ($19,000)", and insert "twenty thousand five hundred dollars ($20,500)".

Amendment No. 4

On page 2, line 3, of said bill, strike out "eighteen thousand dollars ($18 000)", and insert "nineteen thousand dollars ($19,000)".

Amendment No. 5

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

"SEC. 2".

Amendment No. 6

On page 2, lines 11 and 12, of said bill, strike out "seventeen thousand dollars ($17,000)", and insert "eighteen thousand dollars ($18,000)".

Amendment No. 7

On page 2 of said bill, strike out lines 13, to 16, inclusive.

HATFIELD	FLEURY
WATSON	GRUNSKY
REGAN	TOMLINSON
Senate Committee on Conference	Assembly Committee on Conference

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, and Waters—63.

NOES—Lowrey—1.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Grunsky:

Resolved, That Senate Bill No. 119 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage

Resolution read.

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

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—65

NOES—None.

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

CONSIDERATION OF SENATE BILL NO. 119

Senate Bill No. 119—An act to add Article 5, comprising Sections 116c to 116g, inclusive, to Chapter 5, Title 1, Part 1 of the Code of Civil

Procedure, relating to establishing a uniform accounting system for municipal courts and justice courts, and making an appropriation.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Waters—65.

NOES—Silliman—1.

Bill ordered transmitted to the Senate.

PERMISSION GRANTED TO CONSIDER ASSEMBLY BILL NO. 1422

Pursuant to the provisions of Joint Rule No. 23, the Speaker having given consent, Mr. Chapel requested that he be granted permission to consider Assembly Bill No. 1422, at this time.

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64.

NOES—None.

CONSIDERATION OF ASSEMBLY BILL NO. 1422

Assembly Bill No. 1422—An act providing for the constitution of the municipal court in a district embracing the City of Redondo Beach, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Burkhalter, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rosenthal, Rumford, Shaw, Silliman, Stanley, and Mr. Speaker—54.

NOES—Luckel and Lyon—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1809

Mr. Crowley asked for, and was granted, unanimous consent to take up Senate Bill No. 1809, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1809

Senate Bill No. 1809—An act to create a flood control district to be called Napa County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life

and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Waters, and Mr. Speaker—65

NOES—None.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Waters, and Mr Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF SENATE BILL NO. 1079

Mr. Crowley asked for, and was granted, unanimous consent to take up further consideration of Senate Bill No. 1079, temporarily passed on file.

FURTHER CONSIDERATION OF SENATE BILL NO. 1079

Senate Bill No. 1079—An act creating the "Lake County Flood Control and Water Conservation District" for the controlling, conservation, diversion, storage and disposition of storm, flood, and other surface waters, prescribing the boundaries, organization, operation, management, financing and powers and duties of the district.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon,

Maloney, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Waters, and Mr. Speaker—64

NOES—Hagen and Henderson—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1489

Mr. McCarthy asked for, and was granted unanimous consent to take up Senate Bill No. 1489, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1489

Senate Bill No. 1489—An act to repeal Section 3440 of, and to add Sections 3440 and 3440.1, to, and to amend Section 3440.5 of, the Civil Code, relating to transfers of particular personal property.

Bill read third time.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF SENATE BILL NO. 907

Mr. McCarthy asked for, and was granted, unanimous consent to take up further consideration of Senate Bill No. 907.

CONSIDERATION OF SENATE BILL NO. 907

Senate Bill No. 907—An act to add Section 13537.5 to the Government Code, relating to the purchase of printing equipment.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64

NOES—Doyle and Maloney—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 640

Mr. Grunsky asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Senate Bill No. 640, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER. The Committee on Conference concerning:

Senate Bill No. 640—An act to amend Sections 5, 6, and 7 of, and to add Section 3¼ to, the Highway Carriers' Act, and to amend Sections 3631, 3632, 3634, 5109, 5112, 5113, 5133, and 5133.5 of, and to add Section 3574 to, the Public Utilities Code, relating to highway carriers.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in and that the bill be further amended as follows:

Amendment No. 1

On page 1, line 18, of the printed bill, as amended in the Assembly on June 18, 1951, strike out "ten thousand dollars ($10,000)", and insert "fifteen thousand dollars ($15,000)".

Amendment No. 2

On page 2, lines 2 and 3, of said bill, strike out "twenty thousand dollars ($20,000)", and insert "thirty thousand dollars ($30,000)".

Amendment No. 3

On page 2, lines 3 and 4, of said bill, strike out "five thousand dollars ($5,000)", and insert "ten thousand dollars ($10,000)".

Amendment No. 4

On page 2, line 51, of said bill, strike out "ten thousand dollars ($10,000)", and insert "fifteen thousand dollars ($15,000)".

Amendment No. 5

On page 3, line 4, of said bill, strike out "twenty thousand dollars ($20,000)", and insert "thirty thousand dollars ($30,000)".

Amendment No. 6

On page 3, line 5, of said bill, strike out "five thousand dollars ($5,000)", and insert "ten thousand dollars ($10,000)".

REGAN	GRUNSKY
HAROLD T. JOHNSON	KIRKWOOD
THOMPSON	GAFFNEY
Senate Committee on Conference	Assembly Committee on Conference

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—65

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP REPORT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 639

Mr. Gaffney asked for, and was granted unanimous consent to take up the report of the Committee on Conference concerning Senate Bill No. 639, without reference to file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 639—An act to amend Sections 4, 5, and 6 of the City Carriers' Act, Section 12 of the Household Goods Carriers Act, and Section 3631, 3632, 3634, and 5161 of the Public Utilities Code, relating to carriers

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following.

That the amendments of the Assembly be concurred in and that the bill be further amended as follows.

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on June 19, 1951, strike out "3631, 3632, 3634", and insert "3981, 3982, 3983".

Amendment No. 2

On page 1, lines 9 and 10, of said bill, strike out "ten thousand dollars ($10,000)", and insert "fifteen thousand dollars ($15,000)".

Amendment No. 3

On page 1, lines 14 and 15, of said bill, strike out "twenty thousand dollars ($20,000)", and insert "thirty thousand dollars ($30,000)".

Amendment No. 4

On page 1, lines 16 and 17, of said bill, strike out "five thousand dollars ($5,000)", and insert "ten thousand dollars ($10,000)".

Amendment No. 5

On page 2, line 34, of said bill, strike out "ten thousand dollars ($10,000)", and insert "fifteen thousand dollars ($15,000)".

Amendment No. 6

On page 2, line 39, of said bill, strike out "twenty thousand dollars ($20,000)", and insert "thirty thousand dollars ($30,000)".

Amendment No. 7

On page 2, lines 40 and 41, of said bill, strike out "five thousand dollars ($5,000)", and insert "ten thousand dollars ($10,000)".

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

Amendment No. 8

On page 3 of said bill, strike out lines 18 to 51, inclusive; and on page 4, strike out lines 1 to 10, inclusive, and insert

"SEC. 4. Section 3981 of the Public Utilities Code is amended to read:

3981. The commission shall, in granting permits pursuant to this chapter, require the carrier to procure, and continue in effect during the life of the permit, adequate protection, as provided in Section 3982, against liability imposed by law upon the carrier for the payment of damages for personal bodily injuries, including death resulting therefrom, in the amount of not less than [five thousand dollars ($5,000)] *fifteen thousand dollars ($15,000)* on account of bodily injuries to, or death of, one person; and protection against a total liability of the carrier on account of bodily injuries to, or death of, more than one person, as a result of any one accident, in the amount of not less than [ten thousand dollars ($10,000)] *thirty thousand dollars ($30,000)*; and protection in an amount of not less than [five thousand dollars ($5,000)] *ten thousand dollars ($10,000)* for one accident resulting in damage or destruction of property whether the property of one, or more than one claimant.

The commission may, upon its own motion or upon the application of any interested party, and after hearing, require any city carrier to procure and maintain cargo insurance in such amounts and upon such terms as the commission may determine.

SEC. 5. Section 3982 of said code is amended to read:

3982. The protection required under Section 3981 shall be evidenced [either:]

[(a)] by the deposit with the commission, covering each vehicle used or to be used under the permit applied for,

(1) Of a policy *or policies* of [public liability and property damage] insurance, issued by a company licensed to write such insurance in the State; or

(2) Of a bond of a surety company licensed to write surety bonds in the State [; or].

[(3) Of a personal bond, with such sureties as the commission finds adequate *to guarantee the required protection.*]

[(b) By a trust fund in the amount of fifteen thousand dollars ($15,000), to be held in trust by some institution or person acceptable to the commission.]

[(c) By a combination of any of the foregoing methods in such manner that the aggregate of the protection or funds available equals the principal sum of not less than fifteen thousand dollars ($15,000).]

[The carrier shall select the method to be used in obtaining the protection, and may change from one method to another, from time to time, with the consent of the commission.]

With the consent of the commission a copy of an insurance policy, duly certified by the company issuing it to be a true copy of the original policy, or a photostatic copy thereof, or an abstract of the provisions of said policy, or a certificate of insurance issued by the company issuing such policy, may be filed with the commission in lieu of the original or a duplicate or counterpart of said policy.

SEC. 6. Section 3983 of said code is amended to read

3983. The protection against liability shall be continued in effect during the life of the permit. The policy of insurance [,] *or* surety bond [, or personal bond] shall not be cancelable on less than [ten (10)] *thirty (30)* days' written notice to the commission."

Amendment No. 9

On page 4, line 18, of said bill, strike out "ten thousand dollars ($10,000)", and insert "fifteen thousand dollars ($15,000)".

Amendment No. 10

On page 4, line 23, of said bill, strike out "twenty thousand dollars ($20,000)", and insert "thirty thousand dollars ($30,000)".

Amendment No. 11

On page 4, lines 24 and 25, of said bill, strike out "five thousand dollars ($5,000)", and insert "ten thousand dollars ($10,000)".

REGAN	GRUNSKY
HAROLD T. JOHNSON	KIRKWOOD
JAMES E. CUNNINGHAM	GAFFNEY
Senate Committee on Conference	Assembly Committee on Conference

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr Speaker—65

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 484

Mr. Maloney asked for, and was granted, unanimous consent to take up Senate Bill No. 484, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 484

Senate Bill No. 484—An act making an appropriation for support of Grand National Junior Livestock Exposition, No. 1-A District Agricultural Association.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant,

Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Stewart, and Waters—62.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Explanation of Vote

I voted against Senate Bill No. 484 in protest of extending the life of the Grand National Junior Livestock Exposition one year only.

LLOYD W. LOWREY

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1048

Mr. Condon asked for, and was granted unanimous consent to take up Senate Bill No. 1048, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1048

Senate Bill No. 1048—An act to amend Section 4660 of the Labor Code, relating to the percentages of permanent disability, including a schedule for the determination of such percentages.

Bill read third time.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rosenthal, Sherwin, Silliman, Stanley, Stewart, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

PERMISSION GRANTED TO CONSIDER ASSEMBLY BILL NO. 1436

Pursuant to Joint Rule No. 23, the Speaker having given consent, Mr. Erwin requested permission to consider Assembly Bill No. 1436.

The roll was called, and permission granted Mr. Erwin to consider Assembly Bill No. 1436 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Waters, and Mr Speaker—60.

NOES—None.

CONSIDERATION OF ASSEMBLY BILL NO. 1436

Assembly Bill No. 1436—An act providing for the constitution of the municipal court in a district embracing the City of Whittier, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hahn, Hansen, Hawkins,

Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rosenthal, Rumford, Shaw, Stanley, Stewart, and Mr. Speaker—55.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 157

Mrs. Niehouse asked for, and was granted unanimous consent to take up House Resolution No. 157, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 157

By Mrs. Niehouse:

House Resolution No. 157

Relative to the Assembly Interim Committee on Social Welfare

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

1. The Assembly Interim Committee on Social Welfare is hereby created and is authorized and directed to ascertain, study and analyze all aspects of administration by the State and the counties of the social welfare program, including the division of basic responsibilities and authority, methods of achieving greater uniformity in administrative practice, efficiency and effectiveness of administration including personnel policies and use of staff, methods of carrying on operating and program research, administrative policies and procedures in effect, reorganization and simplification of the Welfare and Institutions Code, methods of financing the social welfare programs, and any and all other matters relating to the administration of these programs, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the members of the Assembly Standing Committee on Social Welfare for this legislative session. The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee Vacancies occurring in the membership of the committee shall be filled by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

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

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

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

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

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

6. The sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In line 1 of the 6th *Resolved* clause of the resolution, as printed on page 4767 of the Assembly Journal for May 25, 1951, strike out "twenty-five thousand dollars ($25,000)", and insert "fifteen thousand dollars ($15,000)".

Amendment read, and adopted.

Consideration of Further Amendments

Motion to Amend

Mr. Sherwin moved the adoption of the following amendment:

Amendment No. 1

In line 4 of the paragraph numbered 2, of the measure as printed on page 4767 of the Assembly Journal for May 25, 1951, after the period, insert "A vacancy shall be deemed to exist whenever any member of the committee fails to secure the nomination of his party at the primary election or fails to be elected at the general election."

Amendment read, and adopted.

Consideration of House Resolution No. 157, as Amended

By Mrs. Nichouse:

House Resolution No. 157

Relative to the Assembly Interim Committee on Social Welfare

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

1. The Assembly Interim Committee on Social Welfare is hereby created and is authorized and directed to ascertain, study and analyze all aspects of administration by the State and the counties of the social welfare program, including the division of basic responsibilities and authority, methods of achieving greater uniformity in administrative practice, efficiency and effectiveness of administration including personnel policies and use of staff, methods of carrying on operating and program research, administrative policies and procedures in effect, reorganization and simplification of the Welfare and Institutions Code, methods of financing the social welfare programs, and any and all other matters relating to the administration of these programs, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2 The committee shall consist of the members of the Assembly standing Committee on Social Welfare for this legislative session. The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the committee shall be filled by the Speaker. A vacancy shall be deemed to exist whenever any member of the committee fails to secure the nomination of his party at the primary election or fails to be elected at the general election.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members

5 The committee has the following additional powers and duties:

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

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

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

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

6. The sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Rosenthal, Shaw, Silliman, Stanley, Stewart, Waters, and Mr. Speaker—59.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT THAT 2,500 ADDITIONAL COPIES OF HOUSE RESOLUTION NO. 158 BE PRINTED

Mr. Kilpatrick asked for, and was granted, unanimous consent that 2,500 additional copies of House Resolution No. 158 be ordered printed

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 161

Mr. McCollister asked for, and was granted unanimous consent to take up House Resolution No. 161, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 161

By Mr. McCollister:

House Resolution No. 161

Relative to the creation of the Assembly Interim Committee on Military Affairs

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

1. The Assembly Interim Committee on Military Affairs is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon any matter which, under the Standing Rules of the Assembly and the legislative practices thereunder would be referred to the Assembly standing Committee on Military Affairs, and any and all other matters relating to or affecting military and veterans affairs, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of such Members of the Assembly Standing Committee on Military Affairs as the Speaker shall appoint The chairman shall be appointed by the Speaker Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members

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

(a) To select a vice chairman from its membership

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

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

(d) To report its findings and recommendations to the Legislature and to the people from time to time and and at any time, not later than herein provided.

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

6. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

Strike out the 2nd numbered paragraph of the resolution, as printed on pages 4809 and 4810 of the Assembly Journal for May 28, 1951, and insert

"2. The committee shall consist of the same members who comprise the Assembly Standing Committee on Military Affairs and the chairman and vice chairman of said standing committee shall be the chairman and vice chairman of this committee Vacancies occurring in the membership of the committee shall be filled by the appointing power."

Amendment No. 2

In the 5th numbered paragraph, strike out all of subdivision (a) and renumber subdivisions (b), (c), (d) and (e) to become (a), (b), (c) and (d), respectively

Amendment No. 3

In line 1 of the 6th numbered paragraph, strike out "ten thousand dollars ($10,000)", and insert "five thousand dollars ($5,000)".

Amendments read, and adopted.

Consideration of House Resolution No. 161, as Amended

By Mr. McCollister:

House Resolution No. 161

Relative to the creation of the Assembly Interim Committee on Military Affairs

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

1. The Assembly Interim Committee on Military Affairs is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon any matter which, under the Standing Rules of the Assembly and the legislative practices thereunder would be referred to the Assembly standing Committee on Military Affairs, and any and all other matters relating to or affecting military and veterans affairs, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the same members who comprise the Assembly standing Committee on Military Affairs and the chairman and vice chairman of said standing committee shall be the chairman and vice chairman of this committee. Vacancies occuring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members,

5 The committee has the following additional powers and duties:

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

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

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

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

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

Resolution read, as amended.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Waters, and Mr Speaker—62.

NOES—None

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 167

Mr. Evans asked for, and was granted, unanimous consent to take up House Resolution No. 167, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 167

By Mr. Evans:

House Resolution No. 167

Relative to the creation of the Assembly Interim Committee on Public Utilities and Corporations

WHEREAS, At each session of the Legislature numerous bills relating to or affecting public utilities and corporations and related matters are introduced; and

WHEREAS, In order to properly consider such measures it is necessary that the Assembly be fully informed as to all facts directly or indirectly bearing thereon; and

WHEREAS, The Assembly standing Committee on Public Utilities and Corporations, and the members thereof, have acquired experience and knowledge of the problems peculiar to this subject; now, therefore, be it

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

1. The Assembly standing Committee on Public Utilities and Corporations is hereby constituted the Assembly Interim Committee on Public Utilities and Corporations and is authorized and directed to ascertain, study and analyze all facts relating to, bearing upon or in any way affecting the public utilities and corporations and other subjects which, under the Standing Rules and the legislative practices of the Assembly, would be referred to the standing Committee on Public Utilities and Corporations, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

3 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this

session, which provisions are incorporated herein and made applicable to this committee and its members. Vacancies shall be filed by the Speaker.

4. The committee has the following additional powers and duties.

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

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

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

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

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

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

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the 4th numbered paragraph of the resolution, as printed on pages 4967 and 4968 of the Assembly Journal for May 31, 1951, strike out all of subdivision (a) of said paragraph and renumber subdivisions (b), (c), (d) and (e) to become (a), (b), (c) and (d) respectively.

Amendment No. 2

In line 1 of the 5th numbered paragraph, strike out "_____ dollars ($_____)", and insert "seven thousand five hundred dollars ($7,500)".

Amendments read, and adopted.

Consideration of House Resolution No. 167, as Amended

By Mr. Evans:

House Resolution No. 167

Relative to the creation of the Assembly Interim Committee on Public Utilities and Corporations

WHEREAS, At each session of the Legislature numerous bills relating to or affecting public utilities and corporations and related matters are introduced; and

WHEREAS, In order to properly consider such measures it is necessary that the Assembly be fully informed as to all facts directly or indirectly bearing thereon; and

WHEREAS, The Assembly standing Committee on Public Utilities and Corporations, and the members thereof, have acquired experience and knowledge of the problems peculiar to this subject; now, therefore, be it

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

1 The Assembly standing Committee on Public Utilities and Corporations is hereby constituted the Assembly Interim Committee on Public Utilities and Corporations and is authorized and directed to ascertain, study and analyze all facts relating to, bearing upon or in any way affecting the public utilities and corporations and other subjects which, under the Standing Rules and the legislative practices of the Assembly, would be referred to the standing Committee on Public Utilities and Corporations, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

3 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the

Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members. Vacancies shall be filled by the Speaker.

4. The committee has the following additional powers and duties

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

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

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

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

5. The sum of seven thousand five hundred dollars ($7,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, as amended.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—66.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 177

Mr. McMillan asked for, and was granted unanimous consent to take up House Resolution No. 177, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 177

By Mr. McMillan:

House Resolution No. 177

Relative to the Assembly Committee on Boards and Commissions

WHEREAS, Each session of the Legislature is confronted with numerous bills and demands for bills to regulate various matters involving public morals including alcoholic beverages, gambling, vice of all kinds, wrestling and boxing matches, horse racing, dog racing and matters of a similar matter; and

WHEREAS, At the 1951 Session of the Legislature bills, and requests for bills, designed to curb, prevent or regulate these matters failed of enactment because the Legislature had insufficient data thereon to enable it to legislate intelligently; and

WHEREAS, To meet this need for information it has been determined by the Assembly to constitute the standing committees of the Assembly interim committees in order that at the next session of the Legislature the Assembly may be fully apprised of such facts; now, therefore, be it

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

1. The Assembly standing Committee on Boards and Commissions is hereby constituted an interim committee of the Assembly and authorized and directed to

(a) Conduct a comprehensive study of all facts and conditions necessary to enable the Assembly to determine whether further legislation to prevent or punish sex perversion in relation to crimes of violence is needed, and, if so, the type of legislation which will be most effective.

(b) Ascertain, study, and analyze, all facts relative to the conduct of racing meets, athletic contests, liquor licenses of all sorts, multiple ownership of alcoholic beverage licenses, and all other matters relating to or bearing upon the public morals and welfare.

(c) Study the operation, effect, administration, enforcement and needed legislation of any and all laws in any way bearing upon or relating to the above matters.

(d) Report on the above to the Assembly, including in its reports its recommendations for appropriate legislation

2. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

3. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members

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

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

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

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

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

(e) To meet at the State Capitol or at any other place in this State or within the United States.

5. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In line 1 of the 5th *Resolved* clause, of the resolution, as printed on page 5285 of the Assembly Journal for June 7, 1951, strike out "ten thousand dollars ($10,000)", and insert "five thousand dollars ($5,000)".

Amendment No. 2

In the paragraph numbered 1 of the measure as printed in the Assembly Journal for June 7, 1951, at page 5285, strike out all of subdivision (a) of said paragraph and renumber subdivisions (b), (c), and (d) of said paragraph as subdivisions (a), (b), and (c), respectively.

Amendments read, and adopted.

Consideration of House Resolution No. 177, as Amended

By Mr. McMillan:

House Resolution No. 177

Relative to the Assembly Committee on Boards and Commissions

WHEREAS, Each session of the Legislature is confronted with numerous bills and demands for bills to regulate various matters involving public morals including alcoholic beverages, gambling, vice of all kinds, wrestling and boxing matches, horse racing, dog racing and matters of a similar matter, and

WHEREAS, At the 1951 Session of the Legislature bills, and requests for bills, designed to curb, prevent or regulate these matters failed of enactment because the Legislature had insufficient data thereon to enable it to legislate intelligently; and

WHEREAS, To meet this need for information it has been determined by the Assembly to constitute the standing committees of the Assembly interim committees in order that at the next session of the Legislature the Assembly may be fully apprised of such facts; now, therefore, be it

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

1. The Assembly standing Committee on Boards and Commissions is hereby constituted an interim committee of the Assembly and authorized and directed to:

(a) Ascertain, study, and analyze, all facts relative to the conduct of racing meets, athletic contests, liquor licenses of all sorts, multiple ownership of alcoholic beverage licenses, and all other matters relating to or bearing upon the public morals and welfare.

(b) Study the operation, effect, administration, enforcement and needed legislation of any and all laws in any way bearing upon or relating to the above matters.

(c) Report on the above to the Assembly, including in its reports its recommendations for appropriate legislation.

2. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

3. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

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

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

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

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

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

(e) To meet at the State Capitol or at any other place in this State or within the United States.

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

Resolution read, as amended.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lowrey, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64.

NOES—None

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 194

Mr. Geddes asked for, and was granted unanimous consent to take up House Resolution No. 194, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 194

By Mr. Geddes:

House Resolution No. 194

Relative to the creation of the Assembly Interim Committee on Finance and Insurance

WHEREAS, It has been demonstrated during the 1951 Session of the California Legislature that much time may be conserved by the Assembly through the early introduction of bills in the regular session which have been heard as to their subject matter by a properly constituted interim committee which has afforded the interested parties ample opportunity to present matter pertaining to the subject legislation; and

WHEREAS, By such interim committee an opportunity is also afforded to its members to become acquainted with the subjects investigated and researched to determine whether by their authorship the members will support legislation pertaining to the same; and

WHEREAS, The several departments and agencies of the State Government are also given an ample opportunity to conduct industry hearings and to present a report of the same to such committee by which means agreed bills may be brought in early in the session; and

WHEREAS, By preparing for the 1953 Session of the Legislature by an Assembly Interim Committee on Finance and Insurance time may be saved and the work of the Legislature expedited; now, therefore, be it

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

1. The Assembly Interim Committee on Finance and Insurance is hereby created, authorized and directed to ascertain, study and analyze all facts relating to:

(a) Unemployment insurance, as to matters affecting the solvency of the fund and actuarial and other related problems, and

(b) Unemployment disability insurance

(c) Workmen's compensation insurance.

(d) Commercial insurance in all its branches, including but not limited to group insurance and the matter of dividends and dividend procedure.

(e) Self insurers authorized by and operating subject to California laws, the operation and stability of the same and need for further clarification or revision of such laws

(f) Voluntary plans of hospital and/or health insurance or plans operating under provisions of the law to protect persons from the high costs of sickness and accident in this State, and other unregulated plans purporting to operate under existing provisions of law, and the need for regulation under existing laws or the enactment of regulatory legislation

(g) Insurers operating under the lodge system and other means or kinds of insurance differing from insurance generally available to the public.

(h) Banks, saving and loan and other investment and loaning institutions and institutions operating under the Corporations Code which are related to the field of finance or investment, including credit unions.

(i) The administration of the laws relating to each subject set forth above and the conduct of the office of each state agency, bureau or commission responsible for the enforcement and supervision of the laws pertaining to the above.

(j) Matters pertaining to the subjects of legislation referred to the Assembly standing Committee on Finance and Insurance during the 1951 Regular Session.

2 The committee shall consist of the members of the Assembly standing Committee on Finance and Insurance of the 1951 Session. The chairman shall be appointed by the Speaker Vacancies occurring in the membership of the committee shall be filled by the Speaker as provided by the Standing Rules of the Assembly.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties:

(a) To elect a vice chairman from among its membership, and to appoint a secretary and engage other and necessary employees to serve the committee.

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

(c) To meet in Sacramento at the State Capitol or any other place in this State either in full committee or subcommittees thereof as appointed by the chairman

(d) To meet outside of this State within the United States either in full committee or subcommittees thereof as appointed by the chairman to confer with the agencies of the Federal Government and/or national organizations or conferences sponsoring or proposing legislation pertaining to any of the subjects enumerated herein

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

(f) To reports its findings and recommendations to the Legislature and to the people from time to time and at any time not later than herein provided

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

6. The sum of thirty thousand dollars ($30,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the 2nd numbered paragraph of said resolution, as printed in the Assembly Journal for June 12, 1951, at pages 5529 and 5530 strike out the second sentence of said paragraph, and insert "The chairman and vice chairman shall be the chairman and vice chairman of the standing committee"

Amendment No. 2

In the 5th numbered paragraph of said resolution, strike out all of subdivision (a) of said paragraph, and insert

"(a) To appoint a secretary and engage other and necessary employees to serve the committee."

Amendment No. 3

In the first line of the 6th numbered paragraph of said resolution, strike out "thirty thousand dollars ($30,000)", and insert "twenty thousand dollars ($20,000)"

Amendments read, and adopted.

Consideration of House Resolution No. 194, as Amended

By Mr. Geddes:

House Resolution No. 194

Relative to the creation of the Assembly Interim Committee on Finance and Insurance

WHEREAS, It has been demonstrated during the 1951 Session of the California Legislature that much time may be conserved by the Assembly through the early introduction of bills in the regular session which have been heard as to their subject matter by a properly constituted interim committee which has afforded the interested parties ample opportunity to present matter pertaining to the subject legislation; and

WHEREAS, By such interim committee an opportunity is also afforded to its members to become acquainted with the subjects investigated and researched to determine whether by their authorship the members will support legislation pertaining to the same; and

WHEREAS, The several departments and agencies of the State Government are also given an ample opportunity to conduct industry hearings and to present a report of the same to such committee by which means agreed bills may be brought in early in the session; and

WHEREAS, By preparing for the 1953 Session of the Legislature by an Assembly Interim Committee on Finance and Insurance time may be saved and the work of the Legislature expedited; now, therefore, be it

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

1 The Assembly Interim Committee on Finance and Insurance is hereby created, authorized and directed to ascertain, study and analyze all facts relating to:

(a) Unemployment insurance, as to matters affecting the solvency of the fund *and actuarial and other related problems, and*

(b) Unemployment disability insurance.

(c) Workmen's compensation insurance

(d) Commercial insurance in all its branches, including but not limited to group insurance and the matter of dividends and dividend procedure

(e) Self insurers authorized by and operating subject to California laws, the operation and stability of the same and need for further clarification or revision of such laws

(f) Voluntary plans of hospital and/or health insurance or plans operating under provisions of the law to protect person from the high costs of sickness and accident in this State, and other unregulated plans purporting to operate under existing provisions of law, and the need for regulation under existing laws or the enactment of regulatory legislation.

(g) Insurers operating under the lodge system and other means or kinds of insurance differing from insurance generally available to the public

(h) Banks, saving and loan and other investment and loaning institutions and institutions operating under the Corporations Code which are related to the field of finance or investment, including credit unions.

(i) The administration of the laws relating to each subject set forth above and the conduct of the office of each state agency, bureau or commission responsible for the enforcement and supervision of the laws pertaining to the above.

(j) Matters pertaining to the subjects of legislation referred to the Assembly standing Committee on Finance and Insurance during the 1951 Regular Session.

2. The committee shall consist of the Members of the Assembly standing Committee on Finance and Insurance of the 1951 Session The chairman and vice chairman shall be the chairman and vice chairman of the standing committee. Vacancies occurring in the membership of the committee shall be filled by the Speaker as provided by the Standing Rules of the Assembly.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members

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

(a) To appoint a secretary and engage other and necessary employees to serve the committee.

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

(c) To meet in Sacramento at the State Capitol or any other place in this State either in full committee or subcommittees thereof as appointed by the chairman.

(d) To meet outside of this State within the United States either in full committee or subcommittees thereof as appointed by the chairman to confer with the agencies of the Federal Government and/or national organizations or conferences sponsoring or proposing legislation pertaining to any of the subjects enumerated herein.

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

(f) To report its findings and recommendations to the Legislature and to the people from time to time and at any time not later than herein provided.

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

6 The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloved, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lancoln, Lindsay, Lowrey, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—66.

NOES—None

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 156

Mr. Morris asked for, and was granted unanimous consent to take up House Resolution No 156, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 156

By Mr. Morris:

House Resolution No. 156

Relative to the powers of the Assembly standing Committee on Manufacturing, Oil, and Mining Industry

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

1. The Assembly standing Committee on Manufacturing, Oil, and Mining Industry is hereby authorized and directed to ascertain, study, and analyze all facts relating to

(a) The subject (within the scope of legislative regulation and control) of attaining maximum efficiency and minimum waste at all the various phases of the discovery, production, transportation, refining, and use of oil, gas and other hydro-carbon substances, including production thereot from lands owned by the State, public agencies, and political subdivisions, cooperating therein to the fullest extent in every way with federal agencies; and

(b) The title of the State of California and its grantees in and to the tide, submerged and reclaimed lands lying within its borders and adjacent to its seacoast, the use, administration, and management thereof by the State and its grantees, any attacks by federal officials relating thereto, litigation with reference thereto, and legislation pending in Congress affecting such title, and any and all matters relating thereto or connected therewith or which affect the interests of the State therein; and

(c) The subject (within the scope of legislative regulation and control) of attaining maximum efficiency and minimum waste at all the various phases of the discovery, production, transportation, refining and use of minerals, including production thereof from lands owned by the State, public agencies, and political subdivisions, cooperating therein to the fullest extent in every way with federal agencies, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the report its recommendations for appropriate legislation.

2. Vacancies occurring or existing in the membership of the committee shall be filled by the Speaker.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

4. The committee and its members shall have and exercise all the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

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

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

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

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(d) To meet at the State Capitol or at any other place in this State or within the United States.

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

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

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the paragraph numbered 1 of the measure as printed in the Assembly Journal for May 25, 1951, at page 4766, strike out subdivision (b) of said paragraph, and renumber subdivision (c) to become subdivision (b).

Amendment No. 2

In line 1 of the 6th *Resolved* clause, strike out "_____ dollars ($_____)", and insert "five thousand dollars ($5,000)."

Amendments read, and adopted.

Consideration of House Resolution No. 156, as Amended

By Mr. Morris:

House Resolution No. 156

Relative to the powers of the Assembly standing Committee on Manufacturing, Oil, and Mining Industry

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

1. The Assembly standing Committee on Manufacturing, Oil, and Mining Industry is hereby authorized and directed to ascertain, study, and analyze all facts relating to

(a) The subject (within the scope of legislative regulation and control) of attaining maximum efficiency and minimum waste at all the various phases of the discovery, production, transportation, refining, and use of oil, gas and other hydro-carbon substances, including production thereof from lands owned by the State, public agencies, and political subdivisions, cooperating therein to the fullest extent in every way with federal agencies; and

(b) The subject (within the scope of legislative regulation and control) of attaining maximum efficiency and minimum waste at all the various phases of the discovery, production, transportation, refining and use of minerals, including production thereof from lands owned by the State, public agencies, and political subdivisions, cooperating therein to the fullest extent in every way with federal agencies; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the report its recommendations for appropriate legislation.

2. Vacancies occurring or existing in the membership of the committee shall be filled by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

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

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

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

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To meet at the State Capitol or at any other place in this State or within the United States.

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

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

Resolution read, as amended.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Collier, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans.

Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Landsay, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Silliman, Stanley, Stewart, Thomas, Waters, and Mr Speaker—55.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 197

Mr. Dunn asked for, and was granted, unanimous consent to take up House Resolution No 197, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 197

By Mr Dunn:

House Resolution No. 197

Relative to the creation of the Assembly Interim Committee on Education

WHEREAS, In order to carry out its legislative function properly it is essential that the Assembly be fully informed as to the manner in which the Public School System is being conducted, the effectiveness with which its obligations are being discharged, and all facts relating to the subject of public education, including, but not limited to, the organization and administration of the Public School System, the financing thereof and possible economies therein, the effectiveness of the curricula and methods of teaching, the adequacy of textbooks in use, the manner of their selection and purchase, and the advisability of providing vocational guidance to students prior to their entering secondary schools; and

WHEREAS, It is further essential that the Assembly be fully informed as to all matters relating to privately operated educational institutions within the scope of legislative regulation and control or insofar as such information may be pertinent to matters relating to the Public School System; now, therefore, be it

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

1. The Assembly Interim Committee on Education is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon the subjects mentioned in the recitals of this resolution including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2 The committee shall consist of the members of the Assembly standing Committee on Education for this legislative session The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the committee shall be filled by the Speaker

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session which provisions are incorporated herein and made applicable to this committee and its members

5 The committee has the following additional powers and duties:

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

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

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

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

(e) To meet at the State Capitol or at any place within the State or within the United States

6 The sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or

claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In line 1 of the 6th numbered paragraph of the resolution, as printed in the Assembly Journal for June 13, 1951, at pages 5586 and 5587, strike out "fifty thousand dollars ($50,000)", and insert "twenty thousand dollars ($20,000)"

Amendment read, and adopted.

Consideration of House Resolution No. 197, as Amended

By Mr. Dunn:

House Resolution No. 197

Relative to the creation of the Assembly Interim Committee on Education

WHEREAS, In order to carry out its legislative function properly it is essential that the Assembly be fully informed as to the manner in which the Public School System is being conducted, the effectiveness with which its obligations are being discharged, and all facts relating to the subject of public education, including, but not limited to, the organization and administration of the Public School System, the financing thereof and possible economies therein, the effectiveness of the curricula and methods of teaching, the adequacy of textbooks in use, the manner of their selection and purchase, and the advisability of providing vocational guidance to students prior to their entering secondary schools; and

WHEREAS, It is further essential that the Assembly be fully informed as to all matters relating to privately operated educational institutions within the scope of legislative regulation and control or insofar as such information may be pertinent to matters relating to the Public School System; now, therefore, be it

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

1. The Assembly Interim Committee on Education is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon the subjects mentioned in the recitals of this resolution including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the members of the Assembly standing Committee on Education for this legislative session. The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the committee shall be filled by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

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

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

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

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

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

(e) To meet at the State Capitol or at any place with the State or within the United States.

6. The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 101

Mr. Hollibaugh asked for, and was granted unanimous consent to take up House Resolution No. 101, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 101

By Mr. Hollibaugh:

House Resolution No. 101

Relative to the creation of the Assembly Interim Committee on State and Local Taxation

WHEREAS, The impact of federal, state, and local taxes are of immediate and vital concern to each and every person in this State; and

WHEREAS, It is a prerequisite to sound government that the tax burden be equal as between all taxpayers; and

WHEREAS, Taxes cannot be fairly imposed unless the administration thereof by government officers and agencies is uniform and efficient as to each and every taxpayer; and

WHEREAS, There is need to ascertain the extent to which it is sound financial policy for revenues raised by one governmental unit to be granted or subvented to, or shared with, another governmental unit; and

WHEREAS, The need for taxes for each governmental unit cannot be ascertained unless the need for revenue for each such unit is also ascertained with exactitude; now, therefore, be it

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

1. The Assembly Interim Committee on State and Local Taxation is hereby created and authorized and directed to ascertain, study and analyze all facts relating to state and local taxation, including the relationship thereof to federal taxes, subventions or grants of financial assistance by the State to cities, cities and counties, counties, and districts and by the Federal Government to the State and local Governments, the sharing of revenues by the State, the administration and expenditure of all state and local taxes, with special reference to the adequacy of the tax base for each and the simplification of their fiscal interrelation, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject and recitals of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2. The committee shall consist of the membership of the Standing Committee on Revenue and Taxation The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the adjournment of the 1953 Regular Session, with authority to file its final report not later than the last legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

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

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

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

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

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

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

6. The committee, and any subcommittee thereof when so authorized by the committee, may meet and act without as well as within the State of California, and is hereby authorized to leave the State in the performance of its duties.

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

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 1956 of the Assembly Journal for March 23, 1951, strike out the title of the printed measure, and insert

"Relative to constituting the standing Committee on Revenue and Taxation as the Assembly Interim Committee on Revenue and Taxation."

Amendment No. 2

In line 1 of the paragraph numbered 1, strike out "State and Local", and insert "Revenue and".

Amendment No. 3

In line 2 of the paragraph numbered 2, of the measure as printed on pages 1956 and 1957 of the Assembly Journal for March 23, 1951, strike out "The chairman shall be appointed by the Speaker.", and insert "The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee."

Amendment No. 4

In the paragraph numbered 5, strike out all of subdivision "(a)" and renumber "(b), (c), (d) and (e)" as subdivisions "(a), (b), (c), and (d)."

Amendment No. 5

In line 1 of the paragraph numbered 7, strike out "_____", and insert "twenty thousand dollars ($20,000)".

Amendments read, and adopted.

Consideration of House Resolution No. 101, as Amended

By Mr. Hollibaugh:

House Resolution No. 101

Relative to constituting the standing Committee on Revenue and Taxation as the Assembly Interim Committee on Revenue and Taxation

WHEREAS, The impact of federal, state, and local taxes are of immediate and vital concern to each and every person in this State; and

WHEREAS, It is a prerequisite to sound government that the tax burden be equal as between all taxpayers; and

WHEREAS, Taxes cannot be fairly imposed unless the administration thereof by government officers and agencies is uniform and efficient as to each and every taxpayer; and

WHEREAS, There is need to ascertain the extent to which it is sound financial policy for revenues raised by one governmental unit to be granted or subvented to, or shared with, another governmental unit; and

WHEREAS, The need for taxes for each governmental unit cannot be ascertained unless the need for revenue for each such unit is also ascertained with exactitude, now, therefore, be it

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

1. The Assembly Interim Committee on Revenue and Taxation is hereby created and authorized and directed to ascertain, study and analyze all facts relating to state and local taxation, including the relationship thereof to federal taxes, subventions or grants of financial assistance by the State to cities, cities and counties, counties, and districts and by the Federal Government to the State and local Governments, the sharing of revenues by the State, the administration and expenditure of all state and local taxes, with special reference to the adequacy of the tax base for each and the simplification of their fiscal interrelation, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject and recitals of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the membership of the standing Committee on Revenue and Taxation. The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the adjournment of the 1953 Regular Session, with authority to file its final report not later than the last legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

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

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

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

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

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

6. The committee, and any subcommittee thereof when so authorized by the committee, may meet and act without as well as within the State of California, and is hereby authorized to leave the State in the performance of its duties.

7. The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—65

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 168

Mr. Brown asked for, and was granted unanimous consent to take up House Resolution No. 168, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 168

By Mr. Brown:

House Resolution No. 168

Relative to the creation of the Assembly Interim Committee on Judicial System and Judicial Process

WHEREAS, The Assembly Interim Committee on Judicial System and Judicial Process created during the 1949 Regular Session has submitted its final report and legislation proposed by that committee has been acted upon during this session with a substantial saving to the people of the State of California in time and money; and

WHEREAS, At this session of the Legislature it has been found that further study is needed on many of these subjects; and

WHEREAS, Many additional problems have been proposed which are far reaching and affect the rights of the people of the State of California and will require much diligent study; and

WHEREAS, There is great need of a thorough investigation and research into all matters relating to or affecting the system of laws and judicial administration of this State in order that facts may be obtained and correlated as a basis for future legislation; and

WHEREAS, The facts relating to said subjects can best be secured by a fact-finding committee of the Legislature; now, therefore, be it

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

1. The Assembly Interim Committee on Judicial System and Judicial Process is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the subject of this resolution, and all facts included and in any way related to the subjects mentioned in the recitals hereof, including but not limited to:

(a) All provisions of law relating to or affecting estates and interests in real and personal property;

(b) All provisions of law relating to sex crimes, including research into the causes and cures thereof and punishments or treatments therefor;

(c) All provisions of law relating to motor vehicle and traffic offenses, including judicial and administrative procedures involved therein and the setting up of a commission on automobile accident litigation;

(d) All provisions of law relating to the control of subversive activities and the prevention of sabotage;

(e) All provisions of law relating to admission to the bar and duties and discipline of attorneys;

(f) All provisions of law relating to civil rights, administration of justice, and use of illegally obtained evidence in court proceedings;

(g) All provisions of law relating to civil actions and remedies and all laws relating to crimes and criminal procedure, including the principles of contributory and comparative negligence and the rules of evidence, and all provisions of law relating to the tort liability of the State and its agencies and subdivisions, and uniform acts,

(h) All provisions of law relating to the status, commitment and rights of persons who are mentally ill or mentally deficient;

(i) The composition, structure, jurisdiction and administration of the several courts, division of fines and forfeitures between cities and counties;

(j) The method of selection, compensation and retirement of judicial officers and attaches;

(k) The procedure, process, and rules of the courts, statutory and otherwise;

(l) Present enforcement of narcotic laws with reference to use thereof by minors;

(m) All laws relating to family relations including marriage, divorce, conciliation, and adoptions and the administration of such laws, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2. The committee shall consist of the same Members of the Assembly who comprise the membership of the Assembly Standing Judiciary Committee and the chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act within and without the State of California during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members

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

(a) To select a vice chairman from its membership

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

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

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

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

6. The sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In line 2 of the title of the printed measure, as printed in the Assembly Journal at pages 4975 and 4976, strike out "Judicial System and Judicial Process", and insert "Judiciary".

Amendment No. 2

In line 1 of the first numbered paragraph, strike out "Judicial System and Judicial Process", and insert "Judiciary".

Amendment No. 3

Strike out all of the second numbered paragraph and insert

"2. The committee shall consist of the members of the Assembly standing Committee on Judiciary for this legislative session. The chairman and vice chairman shall be the chairman and vice chairman of said standing committee Vacancies occurring in the membership of the committee shall be filled by the Speaker"

Amendment No. 4

In the fifth numbered paragraph strike out all of subdivision (a) of said paragraph and renumber subdivisions (b), (c), (d), and (e) to become (a), (b), (c), and (d) respectively.

Amendment No. 5

In the first line of the sixth numbered paragraph, strike out "fifty thousand dollars ($50,000)," and insert "twenty thousand dollars ($20,000)".

Amendments read, and adopted.

Consideration of House Resolution No. 168, as Amended

By Mr. Brown:

House Resolution No. 168

Relative to the creation of the Assembly Interim Committee on Judiciary

WHEREAS, The Assembly Interim Committee on Judicial System and Judicial Process created during the 1949 Regular Session has submitted its final report and legislation proposed by that committee has been acted upon during this session with a substantial saving to the people of the State of California in time and money; and

WHEREAS, At this session of the Legislature it has been found that further study is needed on many of these subjects; and

WHEREAS, Many additional problems have been proposed which are far reaching and affect the rights of the people of the State of California and will require much diligent study; and

WHEREAS, There is great need of a thorough investigation and research into all matters relating to or affecting the system of laws and judicial administration of this State in order that facts may be obtained and correlated as a basis for future legislation; and

WHEREAS, The facts relating to said subjects can best be secured by a fact-finding committee of the Legislature; now, therefore, be it

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

1 The Assembly Interim Committee on Judiciary is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the subject of this resolution, and all facts included and in any way related to the subjects mentioned in the recitals hereof, including but not limited to:

(a) All provisions of law relating to or affecting estates and interests in real and personal property,

(b) All provisions of law relating to sex crimes, including research into the causes and cures thereof and punishments or treatments therefor;

(c) All provisions of law relating to motor vehicles and traffic offenses, including judicial and administrative procedures involved therein and the setting up of a commission on automobile accident litigation,

(d) All provisions of law relating to the control of subversive activities and the prevention of sabotage;

(e) All provisions of law relating to admission to the bar and duties and discipline of attorneys;

(f) All provisions of law relating to civil rights, administration of justice, and use of illegally obtained evidence in court proceedings;

(g) All provisions of law relating to civil actions and remedies and all laws relating to crimes and criminal procedure, including the principles of contributory and comparative negligence and the rules of evidence, and all provisions of law relating to the tort liability of the State and its agencies and subdivisions, and uniform acts;

(h) All provisions of law relating to the status, commitment and rights of persons who are mentally ill or mentally deficient;

(i) The composition, structure, jurisdiction and administration of the several courts, division of fines and forfeitures between cities and counties;

(j) The method of selection, compensation and retirement of judicial officers and attaches;

(k) The procedure, process, and rules of the courts, statutory and otherwise;

(l) Present enforcement of narcotic laws with reference to use thereof by minors,

(m) All laws relating to family relations including marriage, divorce, conciliation, and adoptions and the administration of such laws, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2 The committee shall consist of the members of the Assembly standing Committee on Judiciary for this legislative session The chairman and vice chairman shall be the chairman and vice chairman of said standing committee Vacancies occurring in the membership of the committee shall be filled by the Speaker.

3 The committee is authorized to act within and without the State of California during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

4 The committee and its members shall have and exercise all of the rights, duties and power conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members

5 The committee has the following additional powers and duties:

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

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

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

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

6 The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Thomas, Waters, and Mr. Speaker—63.

NOES—None.

COMMUNICATIONS

By Speaker Sam L. Collins:

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

DEAR MR. SPEAKER: Persons desiring notice of hearings on various matters referred to the Committee on Judiciary may do so by contacting the chairman at P. O. Box 1292, Modesto, California.

RALPH M. BROWN, Chairman
Assembly Judiciary Committee

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 151

Mr. Erwin asked for, and was granted unanimous consent to take up House Resolution No. 151, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 151

By Messrs. Erwin and Burkhalter:

House Resolution No. 151

Relative to the creation of the Assembly Interim Committee on Fish and Game.

WHEREAS, The Constitution of this State guarantees to the people the right to fish upon and from the public lands of the State and authorizes the Legislature to enact such laws for the protection of fish and game as it may deem appropriate; and

WHEREAS, It is necessary that a careful and continuous study be made of all factors directly or indirectly affecting fish and game (including but not limited to the propagation and protection thereof and the taking thereof by sportsmen and commercial interests), in order that proper legislation may be enacted to protect and make fruitful the constitutionally guaranteed rights mentioned above; and

WHEREAS, All matters generally referred to the Assembly Standing Committee on Fish and Game are comprehended within the matters hereinabove referred to, and the members of said committee have acquired some knowledge and experience relating thereto; now, therefore, be it

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

1. The Assembly Standing Committee on Fish and Game is hereby designated and constituted the Assembly Interim Committee on Fish and Game and is authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon the matters expressed in the recitals of this resolution including, but not limited to: Game farms; game and management areas, game refuges, fish hatcheries; the opening and closing of waters around Catalina Island; netting in the inland waters of the State; the utilization of the public domain for the propagation of fish and wild life; the taking of fish and wild life by sportsmen and commercial interests and the effect of both upon the rights of present and future generations of citizens, and all other matters directly or indirectly dealing with, related to or affecting fish and game or the enjoyment by the people of their constitutionally guaranteed interest therein; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until March 15, 1953, with authority to file its final report not later than the last legislative day of the 1953 Regular Session. Vacancies shall be filled by the Speaker.

3. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

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

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

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

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

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

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

5. The sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the first numbered paragraph of said resolution, as printed on pages 4584 and 4585 of the Assembly Journal for May 22, 1951, strike out the next to last sentence of said paragraph.

Amendment No. 2

In the 4th numbered paragraph of said resolution, strike out all of subdivision (a) and renumber subdivisions (b), (c), (d) and (e) to become (a), (b), (c) and (d), respectively.

Amendment No. 3

In line 1 of the 5th numbered paragraph, strike out "fifteen thousand dollars ($15,000)", and insert "seven thousand five hundred dollars ($7,500)".

Amendments read, and adopted.

Consideration of House Resolution No. 151, as Amended

By Messrs. Erwin and Burkhalter:

House Resolution No. 151

Relative to the creation of the Assembly Interim Committee on Fish and Game.

WHEREAS, The Constitution of this State guarantees to the people the right to fish upon and from the public lands of the State and authorizes the Legislature to enact such laws for the protection of fish and game as it may deem appropriate; and

WHEREAS, It is necessary that a careful and continuous study be made of all factors directly or indirectly affecting fish and game (including but not limited to the propagation and protection thereof and the taking thereof by sportsmen and commercial interests), in order that proper legislation may be enacted to protect and make fruitful the constitutionally guaranteed rights mentioned above; and

WHEREAS, All matters generally referred to the Assembly standing Committee on Fish and Game are comprehended within the matters hereinabove referred to, and the members of said committee have acquired some knowledge and experience relating thereto; now, therefore, be it

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

1. The Assembly standing Committee on Fish and Game is hereby designated and constituted the Assembly Interim Committee on Fish and Game and is authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon the matters expressed in the recitals of this resolution including, but not limited to: Game farms; game and management areas; game refuges; fish hatcheries; the opening and closing of waters around Catalina Island; netting in the inland waters of the State; the utilization of the public domain for the propagation of fish and wild

life; the taking of fish and wild life by sportsmen and commercial interests and the effect of both upon the rights of present and future generations of citizens; and all other matters directly or indirectly dealing with, related to or affecting fish and game or the enjoyment by the people of their constitutionally guaranteed interest therein; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until March 15, 1953, with authority to file its final report not later than the last legislative day of the 1953 Regular Session. Vacancies shall be filled by the Speaker.

3. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members

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

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

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

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

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

5 The sum of seven thousand five hundred dollars ($7,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Lyon, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, Waters, and Mr. Speaker—61.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 186

Mr. Stewart asked for, and was granted unanimous consent to take up House Resolution No. 186, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 186

By Mr. Stewart:

House Resolution No. 186

Relative to the creation of the Assembly Interim Committee on Governmental Efficiency and Economy

WHEREAS, The complicated machinery of State and local Government in this State, erected to serve the citizens of this State can function only under law; and

WHEREAS, Numerous changes in the organization and administration of State and local Government are proposed at each session of the Legislature by reason of new circumstances constantly arising which previous statutes did not contemplate; and

WHEREAS, It is necessary for the Legislature to study these circumstances carefully, with a view to revising and amending the laws relating thereto, in order that the most efficient, economical and equitable administration of the laws may be fostered; and

WHEREAS, During the interim between sessions it is desirable to ascertain and collate the facts upon which legislation may be based, which fact-finding work can best and most expeditiously be performed through a legislative committee charged with the duty of considering every phase of the subject; now, therefore, be it

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

1. The Assembly Interim Committee on Governmental Efficiency and Economy is hereby created and authorized and directed to ascertain, study, and analyze accurately and in detail all facts relating to the State Government and the government of counties, cities, and districts in this State and of any department, agency, or subdivision thereof, particularly with respect to their organization, functions, and administration, for the purpose of recommending changes and proposing legislation in order to promote efficiency, to reduce and eliminate costs, to provide for the consolidation of functions and removal of duplication, and to do all other things necessary and proper to increase the efficiency and effectiveness of the state and local governments and the agencies and subdivisions thereof, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of 11 members of the standing Committee on Governmental Efficiency and Economy of the Assembly, the membership to be appointed by the Speaker. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the final legislative day of the 1953 Regular Session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

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

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

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

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

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

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

(f) To meet at the State Capitol or at any other place in this State or within the United States.

6. The sum of thirty thousand dollars ($30,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the first line of the 2nd numbered paragraph of said resolution, as printed in the Assembly Journal for January 12, 1951, on pages 5483 and 5484, strike out "11", and insert "the".

Amendment No. 2

In lines 2 and 3 of the said 2nd numbered paragraph, strike out "the membership to be appointed by the Speaker", and insert "and the chairman and vice chairman of said standing committee shall be the chairman and vice chairman of this interim committee".

Amendment No. 3

In the 5th numbered paragraph of said resolution, strike out all of subdivision (a) of said paragraph and renumber subdivisions (b), (c), (d), (e) and (f) to become (a), (b), (c), (d) and (e) respectively.

Amendment No. 4

In the first line of the 6th numbered paragraph, strike out "thirty thousand dollars ($30,000)", and insert "twenty thousand dollars ($20,000)".

Amendments read, and adopted

Consideration of House Resolution No. 186, as Amended

By Mr. Stewart.

House Resolution No. 186

Relative to the creation of the Assembly Interim Committee on Governmental Efficiency and Economy

WHEREAS, The complicated machinery of State and local Government in this State, erected to serve the citizens of this State can function only under law; and

WHEREAS, Numerous changes in the organization and administration of State and local Government are proposed at each session of the Legislature by reason of new circumstances constantly arising which previous statutes did not contemplate, and

WHEREAS, It is necessary for the Legislature to study these circumstances carefully, with a view to revising and amending the laws relating thereto, in order that the most efficient, economical and equitable administration of the laws may be fostered; and

WHEREAS, During the interim between sessions it is desirable to ascertain and collate the facts upon which legislation may be based, which fact-finding work can best and most expeditiously be performed through a legislative committee charged with the duty of considering every phase of the subject, now, therefore, be it

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

1. The Assembly Interim Committee on Governmental Efficiency and Economy is hereby created and authorized and directed to ascertain, study, and analyze accurately and in detail all facts relating to the State Government and the government of counties, cities, and districts in this State and of any department, agency, or subdivision thereof, particularly with respect to their organization, functions, and administration, for the purpose of recommending changes and proposing legislation in order to promote efficiency, to reduce and eliminate costs, to provide for the consolidation of functions and removal of duplication, and to do all other things necessary and proper to increase the efficiency and effectiveness of the state and local governments and the agencies and subdivisions thereof, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the members of the standing Committee on Governmental Efficiency and Economy of the Assembly, and the chairman and vice chairman of said standing committee shall be the chairman and vice chairman of this interim committee. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the final legislative day of the 1953 Regular Session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members

5 The committee has the following additional powers and duties:

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

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

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

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

(e) To meet at the State Capitol or at any other place in this State or within the United States

6 The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Collier, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCollister, McFall, Meyers, Moss, Munnell, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stewart, Thomas, Waters, and Mr Speaker—58.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 196

Mr. Waters asked for, and was granted unanimous consent to take up House Resolution No. 196, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 196

By Mr. Waters:

House Resolution No. 196

Relative to the creation of the Assembly Interim Committee on Elections

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

1. The Assembly Interim Committee on Elections is hereby created and authorized and directed to ascertain, study and analyze all facts relating to elections, the election process, the initiative and referendum, and all facts relating to the operation and effect thereof, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2 The committee shall consist of the same members as the standing Committee on Elections and Reapportionment The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

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

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

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

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

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To work with all political parties on questions involving the advisability of changes in the Elections Code relating to political parties

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

6. The sum of twenty thousand dollars ($20,000 00) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the 2nd numbered paragraph of said resolution, as printed on pages 5572 and 5573 of the Assembly Journal for June 13, 1951, strike out the second sentence of said paragraph, and insert "The chairman and vice chairman shall be the chairman and vice chairman of said standing committee."

Amendment No. 2

In the 5th numbered paragraph, strike out all of subdivision (a) and renumber subdivisions (b), (c), (d), (e) and (f) to become (a), (b), (c), (d) and (e), respectively

Amendment No. 3

In line 1 of the 6th numbered paragraph, strike out "twenty thousand dollars ($20,000)", and insert "seven thousand five hundred dollars ($7,500)"

Amendments read, and adopted

Consideration of House Resolution No. 196, as Amended

By Mr. Waters:

House Resolution No. 196

Relative to the creation of the Assembly Interim Committee on Elections

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

1. The Assembly Interim Committee on Elections is hereby created and authorized and directed to ascertain, study and analyze all facts relating to elections, the election process, the initiative and referendum, and all facts relating to the operation and effect thereof, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the same members as the standing Committee on Elections and Reapportionment. The chairman and vice chairman shall be the chairman and vice chairman of said standing committee. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties

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

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

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(d) To work with all political parties on questions involving the advisability of changes in the Elections Code relating to political parties

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

6. The sum of seven thousand five hundred dollars ($7,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Lyon, McCollister, McFall, Meyers, Moss, Munnell, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr Speaker—56

NOES—None

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 195

Mr. Geddes asked for, and was granted unanimous consent to take up House Resolution No. 195, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 195

By Mr. Geddes:

House Resolution No. 195

Relative to directing the Assembly Interim Committee on Finance and Insurance to undertake an investigation

WHEREAS, It appears from information submitted to committees of the Assembly by the Department of Insurance, and from complaints received by various Members of the Assembly from their constituents, that there is a considerable and growing number of unlicensed, unregulated and nonprofessional persons and organizations who, to the detriment of great numbers of the citizens of this State, are for a consideration promising or purporting to promise such citizens that they will furnish or procure medical, surgical, hospital and other related services or treatments upon the illness or accidental injury of such citizens but who, when the time for performance arrives, almost invariably furnish or procure no service or treatment or wholly inadequate service or treatment, or service or treatment grossly below the quantity or quality represented; and,

WHEREAS, There are also operating in this same field a number of reputable persons and organizations who offer such services and who, when the time for performance arrives fulfill all commitments, but who would discontinue operations if required to comply with onerous regulatory provisions of law which might be enacted by the Legislature; and

WHEREAS, Efforts by the Legislature to enact appropriate legislation to protect citizens from the persons and organizations first mentioned above have been unsuccessful because of the probability that such regulations might drive from the field persons and organizations of the type last mentioned above, and

WHEREAS, In order to enact such legislation, which is vitally needed, it is necessary that the Legislature be fully informed as to all facts concerning or relating to the detailed methods of operation of all persons and organizations mentioned above, in order that it may determine (a) whether regulations might be drafted which would be sufficient to protect the public from the first named class of persons and organizations without causing the second named class of persons and organizations to discontinue their services or (b) whether facts exist sufficient to establish a natural, intrinsic and constitutional distinction between said first and second classes of persons and organizations so as to justify legislation regulating the former and exempting the latter from its operation; and

WHEREAS, It appears that such study is within the scope of the functions of the Assembly Interim Committee on Finance and Insurance; now, therefore, be it

Resolved, That the Assembly Interim Committee on Finance and Insurance be and it hereby is authorized and directed to ascertain, study and analyze all facts relating to the subjects expressed in the recitals of this resolution including but not limited to the methods of operation and need for regulation of the persons and organizations mentioned in said recitals and to the adequacy or inadequacy of the existing laws which might be used to regulate such persons and organizations, and to report thereon to the Legislature not later than the fifteenth legislative day of the 1953 General Session, including in its reports its recommendation for appropriate legislation

Resolution read, and adopted

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 155

Mr. Connolly asked for, and was granted unanimous consent to take up House Resolution No. 155, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 155

By Mr. Connolly:

House Resolution No. 155

Relative to the creation of the Assembly Interim Committee on Public Health

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

1. The Assembly Interim Committee on Public Health is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon any matter which, under the Standing Rules of the Assembly and the legislative practices thereunder would be referred to the Assembly standing Committee on Public Health, and any and all other matters relating to or affecting public health, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the members of the Assembly standing Committee on Public Health for this legislative session The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee Vacancies occurring in the membership of the committee shall be filled by the Speaker.

The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

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

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

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

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

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

6 The sum of twenty-seven thousand dollars ($27,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In line 1 of the 6th *Resolved* clause, of the resolution, as printed on pages 4765 and 4766 of the Assembly Journal for May 25, 1951, strike out "twenty-seven thousand dollars ($27,000)", and insert "fifteen thousand dollars ($15,000)"

Amendment read, and adopted.

Consideration of House Resolution No. 155, as Amended

By Mr. Connolly

House Resolution No. 155

Relative to the creation of the Assembly Interim Committee on Public Health

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

1 The Assembly Interim Committee on Public Health is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon any matter which, under the Standing Rules of the Assembly and the legislative practices thereunder would be referred to the Assembly standing Committee on Public Health, and any and all other matters relating to or affecting public

health, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2 The committee shall consist of the members of the Assembly standing Committee on Public Health for this legislative session The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the committee shall be filled by the Speaker

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members

5 The committee has the following additional powers and duties:

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

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

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

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

6 The sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, as amended.

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

AYES—Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick Kirkwood, Klocksiem, Levering, Lowrey, Lyon, Maloney, McCollister, McFall, Meyers, Morris, Moss, Munnell, Porter, Rosenthal, Shaw, Silliman, Stanley, Stewart, Thomas, Waters, and Mr Speaker—57.

NOES—None

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 219

Mr. Brown asked for, and was granted unanimous consent to take up House Resolution No. 219, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 219

By Mr. Brown:

House Resolution No. 219

Relative to directing the Assembly Interim Committee on Governmental Efficiency and Economy to study matters pertaining to aviation

WHEREAS, Aviation is daily becoming a more important factor in our economy, and

WHEREAS, The State of California should do everything reasonably possible to encourage and facilitate the growth of aviation; and

WHEREAS, Before anything can be done in this regard a study of the situation must first be made; now, therefore, be it

Resolved by the Assembly of the State of California, That the existing Assembly Interim Committee on Governmental Efficiency and Economy, or any committee

created at this session with similar powers and duties, is hereby requested to study and investigate the following matters

(a) The subject of unclaimed refunds as between counties and cities of taxes paid on motor vehicle fuel used for the propulsion of aircraft;

(b) The operational functions of the California Aeronautics Commission;

(c) The problems of private aviation;

Resolved, That the committe submit a report and its recommendations thereon to the Assembly at the 1953 Regular Session of the Legislature.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 229

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 229, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 229

By Mr. Lyon:

House Resolution No. 229

Relative to the study of the administration and financing of highways, streets, and bridges by the Assembly Interim Committee on Revenue and Taxation

WHEREAS, The public highways, streets, and bridges of the State are useful, necessary, and indispensable arteries of travel and commerce and have been constructed and improved at great public expense; and

WHEREAS, The State, in providing highway, road, and street facilities, is in effect managing and financing a full-scale transportation system, costing the highway users and taxpayers of the State in excess of $200,000,000 annually; and

WHEREAS, Pavements and other highway improvements are not permanent but must be rebuilt, resurfaced, expanded, and modernized both to maintain and improve the existing facilities and to meet changing economic and industrial conditions; and

WHEREAS, The Legislature is responsible to the people as a whole for the imposition of taxes levied to support state highway, county road, and city street programs and in discharging this responsibility cannot be indifferent to the inefficient use of tax resources, but it appears possible that less diligence is presently exercised over expenditures of state-collected highway-user taxes by the State, the counties, and the cities than is exercised over the expenditure of other tax moneys because such expenditures do not directly affect the General Fund of the State or the tax rates of local governments; and

WHEREAS, The Department of Public Works has reported to the Legislature that the cost of improving the state highways alone to standards adequate for 1950 traffic conditons is estimated in excess of three billion dollars, but only 1 4 billion dollars will be available for construction in the next 10 years; and

WHEREAS, The cost of acquiring rights of way and the limitation of access has risen to alarming proportions and appears to be continuing to rise, and the reasons for the increasing costs should be ascertained and the wisdom of limited access construction under certain conditions, should be reviewed by the Legislature, and

WHEREAS, Serious criticisms have arisen from time to time with respect to the advisability of constructing freeways in metropolitan areas where parking problems are not being solved and mass transit is not being improved; and

WHEREAS, The Legislature in its 1951 Regular Session considered alternative plans of financing an accelerated state highway construction and right-of-way acquisition program but it appeared that further study should be given to all aspects of California's highway problems, including an appraisal of the efficiency and effectiveness with which state-collected highway-users tax funds are now being expended by all agencies of government to which such funds are entrusted; and

WHEREAS, The Senate Interim Committee on Highways, Streets, and Bridges, created by Senate Resolution 129 in the 1949 Regular Session of the Legislature, during the course of its inquiries found that several counties were apparently failing to comply with the spirit, if not the letter, of the Highway Act of 1947 with respect to county road administration, and, it, therefore, appears that the Legislature should have additional information on this subject in view of the fact that almost $50,000,000 is apportioned annually by the State to counties for road purposes, and

WHEREAS, The State Controller is annually collecting data on county road and city street finance as required by the Highway Act of 1947 and such information should be carefully digested and evaluated for the use of the Legislature in considering legislation dealing with county road and city street affairs; and

WHEREAS, Expenditures by the Department of Motor Vehicles and the Department of the Highway Patrol are directly supported by taxes collected from highway users and such expenditures directly reduce the amount of funds available for highways

and, therefore, should be investigated by the Legislature in view of the apparent need for additional revenue; and

WHEREAS, The Legislature is faced with difficult problems of cost allocation in devising just and reasonable taxes for highway support, which problems have not been fully solved particularly with respect to the equitable taxation of heavy commercial vehicles although alternative solutions have been considered, and, therefore, further study is necessary in this connection; and

WHEREAS, Additional and more comprehensive data regarding the operating characteristics of various classes of motor vehicles, including such factors as annual vehicle mileages, average fuel consumption, loaded and empty vehicle weights, and the like, are indispensable to the formation of a reasonable and equitable system of highway-user taxation and, therefore, should be collected, analyzed, and made available to the Legislature; and

WHEREAS, No one of the administrative agencies of the State Government is so constituted that it can consider and advise the Legislature on all aspects of highway, road, and street management and finance, and, therefore, the Legislature finds a lack of complete and coordinated information on over-all highway problems; and

WHEREAS, The entire problem of proper maintenance, development, and financing of the highways, streets, and bridges requires continued study, investigation, vigilance, and exercise of foresight on the part of the Legislature to insure that the money of the people of California is wisely expended, that modern and efficient methods are employed, that existing facilities are maintained, and that reasonable measures consistent with efficiency and economy are being taken to maintain, improve, and make safe the arteries of vehicular travel of the State; now, therefore, be it

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

1. The Assembly Interim Committee on Revenue and Taxation is hereby authorized and directed to ascertain, study, and analyze all facts relating to and in any way connected with the maintenance and development of safe, efficient, economical, and adequate highways, streets, and bridges and the administration and financing thereof, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee is further specifically authorized and directed to collect by questionnaires, direct investigation, or otherwise, all such information from the owners and operators of motor vehicles on the highways, roads, and streets of this State as it deems necessary in order to formulate a reasonable and equitable system of highway-user taxation for all classes of motor vehicle operation and to carry out the other purposes for which it is created.

3. The committee is further and specifically directed, without any limitation on its other powers, to ascertain, study and analyze all facts relating to the following:

(a) California's highway, road, and street needs, including an appraisal of the 1951 deficiency report made by the Department of Public Works and the criteria adopted in the preparation of that report;

(b) The efficiency and effectiveness of state highway, county road, and city street expenditures, including a determination of whether unnecessary, wasteful, or extravagant expenditures have been or are being made by any agency of government;

(c) Budgetary practices relating to highways, roads, and streets of the State, counties, and cities, including expenditure programs of the Motor Vehicle Department and the Department of the Highway Patrol;

(d) The effectiveness and efficiency of present administrative arrangements pertaining to highways, roads, and streets;

(e) The effectiveness of present policies of the State Department of Public Works with respect to advance planning of highway construction and the advance acquisition of rights-of-way;

(f) The costs and economic effects of present state policies with respect to the construction of limited access highways and metropolitan freeways;

(g) Alternative methods of financing the highway modernization program of California;

(h) Alternative methods of taxing heavy commercial vehicles equitably in relation to taxes on other highway users;

(i) The need for continuing collection of data regarding highway use, vehicle operating characteristics, and the effects of heavy vehicles on highways and vehicle traffic from which can be devised more equitable tax policies;

(j) The advisability of establishing a permanent committee or other agency in order: (1) to provide a continuous check on expenditures of state-collected highway-user taxes by the State, counties, and cities; (2) to study and recommend legislation to guarantee and insure the most effective highway, road, and street management and the most efficient expenditure of highway, road, and street funds; (3) to accumulate and coordinate data which will provide a rational basis for the allocation of state-collected highway-user taxes among the various levels of government and among geographical areas of the State; (4) to accumulate and coordinate data which will provide

a basis for the improvement of the highway-user tax structure and for such modifications of the structure as conditions may justify from time to time; (5) to study, analyze, and appraise on a continuing basis all aspects of highway, road, and street management, expenditure, and finance to the end that the Legislature will at all times be fully advised on the existing facts, new developments, and emerging issues in the transportation field; (6) to make studies of the economics of transportation in general, including taxation and regulatory policies, to the end that the State's role in providing the road plant will be properly integrated with the over-all development of an efficient transportation system for California; (7) to cooperate with other agencies, public and private, to accomplish the objectives of the committee or agency.

4 The committee and its employees may meet and act any place within the State or within the United States to carry out the objects and purposes of this resolution.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 222

Mr. Davis asked for, and was granted, unanimous consent to take up House Resolution No. 222, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 222

By Mr. Davis:

House Resolution No. 222

Relative to directing the Assembly Interim Committee on Fish and Game to undertake an investigation

WHEREAS, There appears to be considerable difference of opinion between the sportsmen of the upper Sacramento River and the State Fish and Game Commission concerning the value of raising steelhead trout in hatcheries for stocking purposes; and

WHEREAS, The recreational fisheries in the upper Sacramento River represent an investment in excess of $12,000,000; and

WHEREAS, The United States Fish and Wildlife Service apparently is willing to use a portion of its facilities at the Coleman Hatchery to cooperate with the State Fish and Game Commission in finding ways to improve angling conditions in the Sacramento River; and

WHEREAS, The State Fish and Game Commission has refused to allow the taking of steelhead trout eggs from fish caught in the salmon spawn taking traps for the purpose of conducting experiments; said commission insisting that the required steelhead eggs be obtained from another state, and that the Fish and Wildlife Service also cooperate scientific studies of the results obtained; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Fish and Game is directed to investigate the problems involved in the foregoing differences of opinion and report its findings to the next regular session of the Legislature.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 227

Mr. Davis asked for, and was granted, unanimous consent to take up House Resolution No. 227, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 227

By Mr. Davis:

House Resolution No. 227

Relative to directing the Assembly Interim Committee on Governmental Efficiency and Economy to undertake an investigation

WHEREAS, It appears from complaints received by various Members of the Assembly from their constituents that the present system of licensing automobiles is expensive, cumbersome and inefficient; and

WHEREAS, A study and survey should be made to determine the feasibility of permanent license plates, of improved methods of bookkeeping and machine indexing, and of revising license plates to reduce the number of characters thereon in an effort to simplify the present numbering system; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Governmental Efficiency and Economy be and is directed to investigate the present auto license system so as to effect reforms therein leading to greater simplicity, greater efficiency, and less expense.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 231

Mr. Hawkins asked for, and was granted unanimous consent to take up House Resolution No. 231, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 231

By Messrs. Hawkins, Hollibaugh, Morris, Hahn, Geddes, Doyle, Dills, Hansen, Gubser, Sherwin, Cloyed, Rosenthal, Chapel, Thomas, Evans and McCarthy:

House Resolution No. 231

Relative to directing the Assembly Interim Committee on State and Local Taxation to study the problem of the taxation of the trucking industry

WHEREAS, For many years the repeal or change in the incidence of the Motor Vehicle Transportation License Tax Law has posed a perplexing and still unsolved problem to this Legislature; and

WHEREAS, There is a sharp difference of opinion between various interests concerned which is detrimental to the trucking industry and the State generally, and

WHEREAS, At a recent meeting of the Assembly standing Committee on Revenue and Taxation a motion was adopted unanimously to refer the matter for study and report to the Assembly Interim Committee on State and Local Taxation; and

WHEREAS, All concerned are agreed to so doing; now, therefore, be it

Resolved by the Assembly of the State of California That the Assembly Interim Committee on State and Local Taxation, or such other Assembly interim committee with similar powers and duties as may succeed it, is hereby requested to investigate and study all matter related to the scope, impact and administration of the Motor Vehicle Transportation License Tax Law and the continued need therefor; and be it further

Resolved, That said committee is hereby requested to submit a report on such investigation and study to this Assembly at the 1953 Regular Session of the Legislature

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the title of the printed resolution, as printed in the Assembly Journal of June 20, 1951, at page 5972, strike out "State and Local", and insert "Revenue and"

Amendment No. 2

In the third paragraph of the printed resolution, strike out "State and Local", and insert "Revenue and".

Amendment No. 3

In the fifth paragraph of the printed resolution, strike out "State and Local", and insert "Revenue and".

Amendments read, and adopted

Consideration of House Resolution No. 231, as Amended

By Messrs Hawkins, Hollibaugh, Morris, Hahn, Geddes, Doyle, Dills, Hansen, Gubser, Sherwin, Cloyed, Rosenthal, Chapel, Thomas, Evans, and McCarthy:

House Resolution No. 231

Relative to directing the Assembly Interim Committee on Revenue and Taxation to study the problem of the taxation of the trucking industry

WHEREAS, For many years the repeal or change in the incidence of the Motor Vehicle Transportation License Tax Law has posed a perplexing and still unsolved problem to this Legislature; and

WHEREAS, There is a sharp difference of opinion between various interests concerned which is detrimental to the trucking industry and the State generally; and

WHEREAS, At a recent meeting of the Assembly Standing Committee on Revenue and Taxation a motion was adopted unanimously to refer the matter for study and report to the Assembly Interim Committee on Revenue and Taxation; and

WHEREAS, All concerned are agreed to so doing; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Revenue and Taxation, or such other Assembly interim committee with similar powers and duties as may succeed it, is hereby requested to investigate and study all matter related to the scope, impact and administration of the Motor Vehicle Transportation License Tax Law and the continued need therefor; and be it further

Resolved, That said committee is hereby requested to submit a report on such investigation and study to this Assembly at the 1953 Regular Session of the Legislature

Resolution read, as amended, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 235

Mr. Davis asked for, and was granted unanimous consent to take up House Resolution No. 235, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 235

By Mr. Davis:

House Resolution No. 235

Relative to study by subcommittee of the Interim Committee on Fish and Game, of the ranging of mule deer herds

WHEREAS, Northeastern California is the part-time range of two herds of mule deer, one of which summers in the State of Oregon and winters in the Devils Garden area of Modoc County, California, while the other summers in California and winters in the State of Nevada; and

WHEREAS, There have been widespread differences of opinion and misunderstanding concerning the numbers, physical condition of, and the available food supply for the mule deer constituting these two interstate herds; and

WHEREAS, The Assembly Interim Committee on Fish and Game appointed pursuant to House Resolution No. 251 of the Regular Session of 1949, submitted preliminary findings and recommendations concerning the problems above enumerated; and

WHEREAS, There is need for more comprehensive studies covering range conditions, the status of the deer browse, the steps that should be taken to rehabilitate such portions of the range as may have been destroyed either by overgrazing by domestic stock or overbrowsed by deer, or both; and

WHEREAS, In the interest of better public understanding of the complex problems involved, and to obtain further information relative thereto, it is essential that additional field surveys be made and that more public hearings be held in the areas in question; now, therefore, be it

Resolved by the Assembly of the State of California, That a subcommittee of the Interim Committee on Fish and Game be hereby authorized and directed to conduct such field surveys, hold additional public hearings, and submit a report of its findings and conclusions to the next regular session of the Legislature

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 236

Mr. Munnell asked for, and was granted unanimous consent to take up House Resolution No. 236, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 236

By Messrs. Rosenthal, Beck, and Shaw:

House Resolution No. 236

Relative to congratulating Loyola University of Los Angeles on recent accomplishments

WHEREAS, Loyola University of Los Angeles has its origin and traditions deep in the early history of California, and has maintained an outstanding scholastic, religious, and athletic program; and

WHEREAS, Scholastically, the university has high admission and performance requirements, and believes in a rigorous foundation of knowledge and a generous share of culture which will support any superstructure of science, arts or letters; and has effected marked successes thereby; and

WHEREAS, Religiously, the university promotes the philosophy that knowledge and intellectual development of themselves have no moral efficacy whatever, but that religion is necessary to provide the integrity to guide the use of learning in every endeavor; and

WHEREAS, Athletically, the university attaches relative importance to a sound body for a sound mind, maintaining intramural athletics on a year-round basis, and engages in intercollegiate football, basketball, baseball, tennis, and golf; their winning football teams of the past two seasons presage greater gridiron power; the university has permitted its football games to be televised for the coming year, thus permitting many sports fans to enjoy and be attracted to the games; and

WHEREAS, Such a broad yet integrated educational program uniquely develops the "Complete Man" under the century-tried methods of the Jesuit Fathers; now, therefore, be it

Resolved by the Assembly of the State of California, That Loyola University of Los Angeles be congratulated on their outstanding scholastic, religious, and athletic accomplishments, and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitable copies of this resolution to Rev. Charles S Casassa, S. J, President of the University.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 181

Mr. Levering asked for, and was granted unanimous consent to take up House Resolution No. 181, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 181

By Mr. Levering:

House Resolution No. 181

Relative to the creation of the Assembly Interim Committee on Industrial Relations

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

1 The Assembly Interim Committee on Industrial Relations is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon any matter which, under the Standing Rules of the Assembly and the legislative practices thereunder, would be referred to the Assembly Standing Committee on Industrial Relations, and any and all other matters relating to or affecting industrial relations, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2 The committee shall consist of the members of the Assembly standing Committee on Industrial Relations for this legislative session. The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the committee shall be filled by the Speaker.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members

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

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

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

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

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

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

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In line 1 of the 6th *Resolved* clause, of the resolution as printed on Page 5449 of the Assembly Journal for June 11, 1951, strike out "one thousand dollars ($1,000)", and insert "one thousand five hundred dollars ($1,500)".

Amendment read, and adopted.

Consideration of House Resolution No. 181, as Amended

By Mr. Levering:

House Resolution No. 181

Relative to the creation of the Assembly Interim Committee on Industrial Relations

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

1. The Assembly Interim Committee on Industrial Relations is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon any matter which, under the Standing Rules of the Assembly and the legislative practices thereunder, would be referred to the Assembly standing Committee on Industrial Relations, and any and all other matters relating to or affecting industrial relations, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the members of the Assembly standing Committee on Industrial Relations for this legislative session. The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the committee shall be filled by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later that the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

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

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

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

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

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

6. The sum of one thousand five hundred dollars ($1,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Coats, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—58.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 203

Mr. Silliman asked for, and was granted unanimous consent to take up House Resolution No. 203, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 203

By Messrs. Silliman, Thomas, Hinckley, Grunsky, Kirkwood, Smith, Lindsay, Collier, Coats, Cooke, Grant, Levering, Lowrey, McMillan, Lyon, Rumford, Brady, Dunn, McCollister, Stewart, Conrad, Mrs. Niehouse, Messrs. Elliott, Moss, Caldecott, Dills, Dolwig, Lincoln, Morris, Connolly, Parker, Gubser, Meyers, Lanterman, Chapel, George D. Collins, McGee, Gaffney, Burkhalter, Tomlinson, Davis, Clarke, Babbage, Sherwin, Brown, Doyle, Belotti, Hansen, Kelly, Shaw, Klocksiem, Henderson, Munnell, Stanley, Hawkins, Porter, Berry, Lipscomb, and Hahn:

House Resolution No. 203

Relative to the creation of the Assembly Committee on Governmental Reorganization

WHEREAS, The structure of the State Government of this State has increased in size and complexity, the functions assumed by the State have increased in number and in the extent of services performed by governmental agencies and units, and the cost of State Government has increased correspondingly with the increase in the size and activities thereof; and

WHEREAS, The Assembly has need to be fully advised in all facts relating to the organization of the State Government and the duties, functions, and responsibilities of the various departments, commissions, boards, authorities, divisions, bureaus, offices, and other units of government and the relationships between and within them, their methods of operation, procedures, and techniques, their costs of operation, and the value of the services rendered by them; now, therefore, be it

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

1. The Assembly Committee on Governmental Reorganization is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the organization, functions, procedures, and operations of the State Government and its departments, commissions, boards, authorities, divisions, bureaus, offices, and other units thereof, the relationship of such units to one another, the internal organization thereof, their methods of operation, their cost to the State, the necessity or desirability of their continuance, the existence of duplicating, overlapping, or needless functions, the desirability of centralizing and coordinating related activities, modernizing techniques and proceedings, and all facts and matters relating to the nature and extent of governmental activities and operations, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports, its recommendtaions for appropriate legislation

2. The committee shall consist of 11 Members of the Assembly appointed by Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which

provisions are incorporated herein and made applicable to this committee and its members.

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

(a) To select a vice chairman from its membership

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

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

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(e) The committee, and any subcommittee when so authorized by the committee, may meet and act without as well as within the State of California, and is authorized to leave the State in the performance of its duties.

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

6. The sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the 6th numbered paragraph of said resolution, as printed in the Assembly Journal for June 15, 1951, at pages 5693 and 5694, strike out "fifty thousand dollars ($50,000)", and insert "twenty thousand dollars ($20,000)".

Amendment read, and adopted

Consideration of House Resolution No. 203, as Amended

By Messrs. Silliman, Thomas, Hinckley, Grunsky, Kirkwood, Smith, Lindsay, Collier, Coats, Cooke, Grant, Levering, Lowrey, McMillan, Lyon, Rumford, Brady, Dunn, McCollister, Stewart, Conrad, Mrs Niehouse, Messrs. Elliott, Moss, Caldecott, Dills, Dolwig, Lincoln, Morris, Connolly, Parker, Gubser, Meyers, Lanterman, Chapel, George D Collins, McGee, Gaffney, Burkhalter, Tomlinson, Davis, Clarke, Babbage, Sherwin, Brown, Doyle, Belotti, Hansen, Kelly, Shaw, Klocksiem, Henderson, Munnell, Stanley, Hawkins, Porter, Berry, Lipscomb, and Hahn:

House Resolution No. 203

Relative to the creation of the Assembly Committee on Governmental Reorganization

WHEREAS, The structure of the State Government of this State has increased in size and complexity, the functions assumed by the State have increased in number and in the extent by services performed by governmental agencies and units, and the cost of State Government has increased correspondingly with the increase in the size and activities thereof; and

WHEREAS, The Assembly has need to be fully advised in all facts relating to the organization of the State Government and the duties, functions, and responsibilities of the various departments, commissions, boards, authorities, divisions, bureaus, offices, and other units of government and the relationships between and within them, their methods of operation, procedures, and techniques, their costs of operation, and the value of the services rendered by them; now, therefore, be it

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

1. The Assembly Committee on Governmental Reorganization is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the organization, functions, procedures, and operations of the State Government and its departments, commissions, boards, authorities, divisions, bureaus, offices, and other units thereof, the relationship of such units to one another, the internal organization thereof, their methods of operation, their cost to the State, the necessity or desirability of their continuance, the existence of duplicating, overlapping, or needless

functions, the desirability of centralizing and coordinating related activities, modernizing techniques and proceedings, and all facts and matters relating to the nature and extent of governmental activities and operations, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports, its recommendations for appropriate legislation.

2. The committee shall consist of 11 Members of the Assembly appointed by Speaker thereof The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

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

(a) To select a vice chairman from its membership

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

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

(d) To reports its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(e) The committee, and any subcommittee when so authorized by the committee, may meet and act without as well as within the State of California, and is authorized to leave the State in the performance of its duties

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

6. The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Coats, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Doyle, Erwin, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lyon, Maloney, McFall, McGee, Meyers, Morris, Moss, Munnell, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—55.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 204

Mr. Sherwin asked for, and was granted unanimous consent to take up House Resolution No. 204, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 204

By Mr. Sherwin:

House Resolution No. 204

Relative to the creation of the Assembly Interim Committee on Ways and Means

WHEREAS, It is necessary that a continuing study be made as to the needs for appropriations for state purposes and particularly of the items to be contained in the Budget Bill enacted at each regular session of the Legislature; now, therefore, be it

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

1. That the Assembly standing Committee on Ways and Means of the 1951 Regular Session is hereby constituted the Assembly Interim Committee on Ways and

Means and is authorized and directed to ascertain, study, and analyze all facts relating to the needs for state expenditures, including expenditures for support of state agencies, for construction, improvements, and all other purposes, and the adequacy of the revenues of the State during the 1951-1952 and 1952-1953 Fiscal Years, and particularly with respect to the items of appropriation to be included in the Budget Act to be enacted at the 1951 and 1952 Regular Sessions. Whenever a Member of the Assembly is appointed to, or relieved of, membership in the existing Assembly standing Committee on Ways and Means, he shall automatically be or cease to be, as the case may be, a member of the Assembly Interim Committee on Ways and Means, so that the membership of the standing and the interim committees shall, at all times be identical. The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the committee shall be filled by the appointing power A vacancy shall be deemed to exist whenever any member of the committee fails to secure the nomination of his party at the primary election or fails to be elected at the general election.

2 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the last legislative day of the 1953 Regular Session, with authority to file its final report not later than that date.

3. The committee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

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

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

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

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

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

(e) To appoint subcommittees from the membership of the committee, which subcommittees shall have the same rights, powers, and duties as are conferred and imposed upon the committee itself under this resolution.

5. The sum of forty thousand dollars ($40,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the first line of the 5th numbered paragraph of said resolution, as printed in the Assembly Journal for June 15, 1951, on pages 5713 and 5714, strike out "forty thousand dollars ($40,000)", and insert "twenty thousand dollars ($20,000)".

Amendment read, and adopted.

Consideration of House Resolution No. 204, as Amended

By Mr. Sherwin:

House Resolution No. 204

Relative to the creation of the Assembly Interim Committee on Ways and Means

WHEREAS, It is necessary that a continuing study be made as to the needs for appropriations for state purposes and particularly of the items to be contained in the Budget Bill enacted at each regular session of the Legislature; now, therefore, be it

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

1. That the Assembly standing Committee on Ways and Means of the 1951 Regular Session is hereby constituted the Assembly Interim Committee on Ways and Means and is authorized and directed to ascertain, study, and analyze all facts relating

to the needs for state expenditures, including expenditures for support of state agencies, for construction, improvements, and all other purposes, and the adequacy of the revenues of the State during the 1951-1952 and 1952-1953 Fiscal Years, and particularly with respect to the items of appropriation to be included in the Budget Act to be enacted at the 1951 and 1952 Regular Sessions. Whenever a Member of the Assembly is appointed to, or relieved of, membership in the existing Assembly standing Committee on Ways and Means, he shall automatically be or cease to be, as the case may be, a member of the Assembly Interim Committee on Ways and Means, so that the membership of the standing and the interim committees shall, at all times be identical. The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the committee shall be filled by the appointing power. A vacancy shall be deemed to exist whenever any member of the committee fails to secure the nomination of his party at the primary election or fails to be elected at the general election.

2. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the last legislative day of the 1953 Regular Session, with authority to file its final report not later than that date.

3. The committee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

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

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

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

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

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

(e) To appoint subcommittees from the membership of the committee, which subcommittees shall have the same rights, powers, and duties as are conferred and imposed upon the committee itself under this resolution.

5. The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—60

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 232

Mr. Lindsay asked for, and was granted, unanimous consent to take up House Resolution No. 232, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 232

By Mr. Lindsay:

House Resolution No. 232

Relative to the creation of the Assembly Interim Committee on Transportation and Commerce

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

1. The Assembly Interim Committee on Transportation and Commerce is hereby created and authorized and directed to ascertain, study and analyze all facts relating

to or in any way bearing upon any matter which, under the Standing Rules of the Assembly and the legislative practices thereunder would be referred to the Assembly standing Committee on Transportation and Commerce, and any and all other matters relating to or affecting rapid transit highways, streets and bridges, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2. The committee shall consist of the members of the Assembly standing Committee on Transportation and Commerce for this legislative session. The chairman and vice chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the *Joint Rules of the Senate and Assembly and of the Standing Rules of the* Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

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

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

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

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

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

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

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None.

RESOLUTIONS

The following resolution was offered:

By Mr. Tomlinson:

House Resolution No. 257

Relative to directing the Assembly Interim Committee on Municipal and County Government to make a study

Resolved by the Assembly of the State of California. That the Assembly Interim Committee on Municipal and County Government is hereby authorized and directed to ascertain, study, and analyze all facts relating to the subject matter expressed in House Resolution No. 29 and Assembly Bill No. 3217 of this session and to report thereon to the Legislature at its 1953 General Session.

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

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 244

Mr. Tomlinson asked for, and was granted unanimous consent to take up House Resolution No. 244, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 244

By Mr. Tomlinson:

House Resolution No. 244

Relative to directing the Assembly Interim Committee on Public Health to make a study

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Public Health is hereby authorized and directed to ascertain, study, and analyze all facts relating to the subject matter expressed in House Resolution No 199 of this session and to report thereon to the Legislature at its 1953 General Session.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 245

Mr. Tomlinson asked for, and was granted unanimous consent to take up House Resolution No. 245, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 245

By Mr. Tomlinson:

House Resolution No. 245

Relative to directing the Assembly Interim Committee on Industrial Relations to make a study

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Industrial Relations is hereby authorized and directed to ascertain, study, and analyze all facts relating to the subject matter expressed in House Resolution No. 206 of this session and to report thereon to the Legislature at its 1953 General Session.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 246

Mr. Tomlinson asked for, and was granted unanimous consent to take up House Resolution No. 246, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 246

By Mr. Tomlinson:

House Resolution No. 246

Relative to directing the Assembly Interim Committee on Public Utilities and Corporations to make a study

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Public Utilities and Corporations is hereby authorized and directed to ascertain, study, and analyze all facts relating to the subject matter expressed in House Resolution No. 176 of this session and to report thereon to the Legislature at its 1953 General Session.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 247

Mr Tomlinson asked for, and was granted unanimous consent to take up House Resolution No. 247, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 247

By Mr. Tomlinson:

House Resolution No. 247

Relative to directing the Assembly Interim Committee on Social Welfare to make a study

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Social Welfare is hereby authorized and directed to ascertain, study, and analyze all facts relating to the subject matter expressed in House Resolution No. 188 of this session and to report thereon to the Legislature at its 1953 General Session.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 248

Mr. Tomlinson asked for, and was granted unanimous consent to take up House Resolution No. 248, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 248

By Mr. Tomlinson:

House Resolution No. 248

Relative to directing the Assembly Interim Committee on Revenue and Taxation to undertake an investigation

Resolved by the Assembly of the State of California, That in addition to the duties imposed upon it by the resolution creating it, the Assembly Interim Committee on Revenue and Taxation shall ascertain, study, and analyze all facts relating to the matters set forth in House Resolution No 229, introduced at this session of the Legislature, and report to the Legislature at its 1953 General Session

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 249

Mr. Tomlinson asked for, and was granted, unanimous consent to take up House Resolution No. 249, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 249

By Mr. Tomlinson:

House Resolution No. 249

Relative to directing the Assembly Interim Committee on Finance and Insurance to undertake a special investigation

Resolved by the Assembly of the State of California, That in addition to any other duties imposed upon it by the resolution creating it, the Assembly Interim Committee on Finance and Insurance shall ascertain, study, and analyze all facts relating to the subjects expressed in House Resolution No 52 of this session of the Legislature, and report to the Legislature at its 1953 General Session.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 250

Mr Tomlinson asked for, and was granted, unanimous consent to take up House Resolution No. 250, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 250

By Mr. Tomlinson:

House Resolution No. 250

Relative to directing the Assembly Interim Committee on Governmental Efficiency and Economy to undertake an investigation

Resolved by the Assembly of the State of California, That in addition to the duties imposed on it by the resolution creating it, the Assembly Interim Committee on Governmental Efficiency and Economy is authorized and directed to ascertain, study, and analyze all facts relating to the subject matter expressed in House Resolution No. 159 of this session of the Legislature and to report to the Legislature at its 1953 General Session.

Resolution read, and adopted.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

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

House Resolution No 230

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

SAM L. COLLINS, Chairman

Request for Unanimous Consent

Mr. Stanley asked for, and was granted, unanimous consent to take up House Resolution No. 230, at this time, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 230

By Mr. Stanley:

House Resolution No. 230

Relative to the Creation of the Assembly Interim Committee on Municipal and County Government

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

1. The Assembly Interim Committee on Municipal and County Government is hereby created and authorized and directed to ascertain, study and analyze all facts relating to governmental relations between cities, counties and districts as these relationships have been affected and made more difficult and complex by reason of the great growth in population of California and particularly growth in population and development in the unincorporated areas of the counties The studies to be made by the committee shall include, but not be limited to, the advisability of the formation of multiple purpose urban districts, problems relating to annexation and incorporation, the most efficient, economical and equitable means of securing the provision of needed urban services in urban unincorporated areas, and the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the members of the Assembly standing Committee on Municipal and County Government for this legislative session. The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the twentieth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties:

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

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within

the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

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

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

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In line 1 of the 6th *Resolved* clause of the resolution, as printed on pages 5971 and 5972 of the Assembly Journal for June 20, 1951, strike out "_____ dollars ($_____)", and insert "twenty thousand dollars ($20,000)".

Amendment read, and adopted.

Consideration of House Resolution No. 230, as Amended

By Mr. Stanley:

House Resolution No. 230

Relative to the creation of the Assembly Interim Committee on Municipal and County Government

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

1. The Assembly Interim Committee on Municipal and County Government is hereby created and authorized and directed to ascertain, study and analyze all facts relating to governmental relations between cities, counties and districts as these relationships have been affected and made more difficult and complex by reason of the great growth in population of California and particularly growth in population and development in the unincorporated areas of the counties. The studies to be made by the committee shall include, but not be limited to, the advisability of the formation of multiple purpose urban districts, problems relating to annexation and incorporation, the most efficient, economical and equitable means of securing the provision of needed urban services in urban unincorporated areas, and the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the members of the Assembly standing Committee on Municipal and County Government for this legislative session. The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the twentieth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

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

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

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

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

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

6 The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lyon, Maloney, McCollister, McGee, Meyers, Morris, Moss, Munnell, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—60.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 257

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

SAM L COLLINS, Chairman

Request for Unanimous Consent

Mr. Tomlinson asked for, and was granted, unanimous consent to take up House Resolution No. 257, at this time, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 257

By Mr. Tomlinson:

House Resolution No. 257

Relative to directing the Assembly Interim Committee on Municipal and County Government to make a study

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Municipal and County Government is hereby authorized and directed to ascertain, study, and analyze all facts relating to the subject matter expressed in House Resolution No. 29 and Assembly Bill No. 3217 of this session and to report thereon to the Legislature at its 1953 General Session

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3088 BE RE-REFERRED TO COMMITTEE

Mr. Dolwig asked for, and was granted, unanimous consent that Assembly Bill No. 3088 be withdrawn from the third reading file, and be re-referred to the Committee on Legislative Representation.

REQUEST FOR UNANIMOUS CONSENT

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 242, at this time, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 242

By Mr. Dickey:

House Resolution No. 242

Relating to creating the Assembly Interim Committee on Conservation, Planning, and Public Works

WHEREAS, The increase in the population of the State has caused a rapid expansion of the population of the counties, cities and local governmental subdivisions of the State; and

WHEREAS, There is a need for careful planning to prevent future conflict between the commercial, industrial and domestic interests in the State and its counties, cities and local governmental subdivisions; and

WHEREAS, It is necessary that the Assembly be fully informed in the premises, particularly as to whether existing laws relating to the subject of Conservation, Planning, and Public Works are adequate; now, therefore, be it

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

1. The Assembly Interim Committee on Conservation, Planning, and Public Works is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the operation, effect and administration of the Conservation and Planning Act and all facts relating to or in any way bearing upon the subject matter of the recitals of this resolution, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2 The committee shall consist of the membership of the Assembly standing Committee on Conservation, Planning, and Public Works. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

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

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

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

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

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

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

(f) The committee and any subcommittee thereof when so authorized by the committee, may meet and act without as well as within the State of California, and is hereby authorized to leave the State in the performance of its duties

6 The sum of thirty thousand dollars ($30,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the second numbered paragraph of said resolution, as printed in the Assembly Journal for June 21, 1951, at pages 6088 and 6089, strike out the second sentence of said paragraph, and insert "The chairman and vice chairman shall be the chairman and vice chairman of said standing committee."

Amendment No. 2

In the fifth numbered paragraph, strike out all of subdivision (a) of said paragraph and renumber subdivisions (b), (c), (d), (e), and (f) to become (a), (b), (c), (d), and (e) respectively.

Amendment No. 3

In the first line of the sixth numbered paragraph, strike out "thirty thousand dollars ($30,000)", and insert "twenty thousand dollars ($20,000)".

Amendments read, and adopted.

Consideration of House Resolution No. 242, as Amended

By Mr. Dickey:

House Resolution No. 242

Relating to creating the Assembly Interim Committee on Conservation, Planning, and Public Works

WHEREAS, The increase in the population of the State has caused a rapid expansion of the population of the counties, cities and local governmental subdivisions of the State; and

WHEREAS, There is a need for careful planning to prevent future conflict between the commercial, industrial and domestic interests in the State and its counties, cities and local governmental subdivisions; and

WHEREAS, It is necessary that the Assembly be fully informed in the premises, particularly as to whether existing laws relating to the subject of Conservation, Planning, and Public Works are adequate; now, therefore, be it

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

1 The Assembly Interim Committee on Conservation, Planning, and Public Works is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the operation, effect and administration of the Conservation and Planning Act and all facts relating to or in any way bearing upon the subject matter of the recitals of this resolution, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2. The committee shall consist of the membership of the Assembly standing Committee on Conservation, Planning, and Public Works The chairman and vice chairman shall be the chairman and vice chairman of said standing committee Vacancies occurring in the membership of the committee shall be filled by the appointing power

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties:

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

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

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

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

(e) The committee and any subcommittee thereof when so authorized by the committee, may meet and act without as well as within the State of California, and is hereby authorized to leave the State in the performance of its duties.

6 The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, and Mr. Speaker—58.

NOES—None

RESOLUTIONS

The following resolution was offered:

By Mr. Tomlinson:

House Resolution No. 258

Relative to directing the Assembly Interim Committee on Agriculture to undertake an investigation

Resolved by the Assembly of the State of California, That in addition to the duties imposed upon it by the resolution creating it, the Assembly Interim Committee on Agriculture shall ascertain, study and analyze all facts relating to the subjects expressed in House Resolutions Nos 192 and 193 of this session of the Legislature and report thereon to the Legislature at its Fifty-third General Session.

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

REQUEST FOR UNANIMOUS CONSENT

Mr. Clarke asked for, and was granted, unanimous consent to take up House Resolution No 241, at this time, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 241

By Mr. Clarke:

House Resolution No. 241

Relative to the creation of the Assembly Interim Committee on Agriculture

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

1. The Assembly Interim Committee on Agriculture is hereby created and authorized and directed to ascertain, study and analyze all facts relating to agriculture or in any way bearing upon any matter which, under the Standing Rules of the Assembly and the legislative practices thereunder would be referred to the Assembly standing Committee on Agriculture; all facts relating or in anywise appertaining to fairs and expositions, the allocation of state moneys thereto, the advisability of establishing additional agricultural fairs or other expositions; all facts relating to publicly owned lands in this State and the use, management, and control thereof and all activities connected therewith or related thereto, and the State, Federal and local Governmental relationships involved therein, including but not limited to the effect of such public acquisition, ownership and jurisdiction, upon taxes levied or leviable by the State and its local governmental agencies; and all facts relating to the recordation and registration of land titles; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the members of the Assembly standing Committee on Agriculture for this legislative session. The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the committee shall be filled by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

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

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

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

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

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

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

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the sixth numbered paragraph of said resolution, as printed in the Assembly Journal for June 21, 1951, at page 6081, strike out "_____dollars ($_____)", and insert "seven thousand five hundred dollars ($7,500)".

Amendment read, and adopted.

Consideration of House Resolution No. 241, as Amended

By Mr. Clarke:

House Resolution No. 241

Relative to the creation of the Assembly Interim Committee on Agriculture

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

1. The Assembly Interim Committee on Agriculture is hereby created and authorized and directed to ascertain, study and analyze all facts relating to agriculture or in any way bearing upon any matter which, under the Standing Rules of the Assembly and the legislative practices thereunder would be referred to the Assembly Standing Committee on Agriculture; all facts relating or in anywise appertaining to fairs and expositions, the allocation of state moneys thereto, the advisability of establishing additional agricultural fairs or other expositions; all facts relating to publicly owned lands in this State and the use, management, and control thereof and all activities connected therewith or related thereto, and the State, Federal and local Governmental relationships involved therein, including but not limited to the effect of such public acquisition, ownership and jurisdiction, upon taxes levied or leviable by the State and its local governmental agencies; and all facts relating to the recordation and registration of land titles; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the members of the Assembly standing Committee on Agriculture for this legislative session The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee Vacancies occurring in the membership of the committee shall be filled by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

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

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

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

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

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

6. The sum of seven thousand five hundred dollars ($7,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, as amended.

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

AYES—Babbage, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Lyon, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

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

House Resolution No. 258

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

SAM L. COLLINS, Chairman

Request for Unanimous Consent

Mr. Tomlinson asked for, and was granted, unanimous consent to take up House Resolution No. 258, at this time, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 258

By Mr. Tomlinson:

House Resolution No. 258

Relative to directing the Assembly Interim Committee on Agriculture to undertake an investigation

Resolved by the Assembly of the State of California. That in addition to the duties imposed upon it by the resolution creating it, the Assembly Interim Committee on Agriculture shall ascertain, study and analyze all facts relating to the subjects expressed in House Resolutions Nos 192 and 193 of this session of the Legislature and report thereon to the Legislature at its 1953 General Session.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1534

Mr. Gubser asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Assembly Bill No. 1534, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 1534—An act to amend Section 2137.1 of the Business and Professions Code, relating to persons authorized to practice medicine and surgery in state institutions.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following.

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1, line 11, of the printed bill, as amended in the Senate on June 15, 1951, after "year", insert "or until October 1, 1953, whichever is later".

Amendment No. 2

On page 1, line 19, of said bill, after the period, insert "No person appointed pursuant to this section shall be employed in any state institution or institutions for a period in excess of two years from the date such person was first so employed. The provisions of this section shall terminate on October 1, 1953."

McCARTHY
MILLER
Senate Committee on Conference

KIRKWOOD
GUBSER
MOSS
Assembly Committee on Conference

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Clarke, Cloyed, Coats, Collier, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Tomlinson, and Waters—64.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 2211

Mr. Tomlinson asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Assembly Bill No. 2211, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 17, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 2211 (As amended in Senate June 5, 1951)—An act to amend Sections 58501, 58577, and 58614 of, and to add Section 58615.5 to, and to repeal Section 58502 and Article 6, Chapter 2, Title 6, of the Government Code; and to repeal Sections 2206, 4704, 6407, 14003, 14405, and 14603, of the Health and Safety Code; and to repeal Section 1184 of the Military and Veterans Code; and to repeal Section 3.5 of the California Airport District Act; all relating to districts.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Senate on June 5, 1951, strike out "2206, 4704, 6407,".

Amendment No. 2

In lines 5 and 6 of the title of said bill, strike out "and to repeal Section 1184 of the Military and Veterans Code;".

Amendment No. 3

On page 2, line 20, of said bill, strike out "2206, 4704, 6407,".

Amendment No. 4

On page 2 of said bill, strike out lines 22 and 23.

Amendment No. 5

On page 2, line 24, of said bill, strike out "6", and insert "5".

Amendment No. 6

On page 2, line 26, of said bill, strike out "7", and insert "6".

Amendment No. 7

On page 2, line 28, of said bill, strike out "8", and insert "7".

Amendment No. 8

On page 2 of said bill, after line 45, insert

"(e) Districts which are excepted from this chapter by Sections 2206, 4704, and 6407 of the Health and Safety Code and Section 1184 of the Military and Veterans Code while such exceptions remain in effect."

HATFIELD
BYRNE
WARD
Senate Committee on Conference

TOMLINSON
BROWN
STANLEY
Assembly Committee on Conference

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

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Nichouse, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—63.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1419
Assembly Bill No. 1458

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

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

Assembly Bill No. 1436
Assembly Bill No. 1440

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

PERMISSION GRANTED TO CONSIDER ASSEMBLY BILL NO. 1440

Pursuant to Joint Rule No. 23, the consent of the Speaker having been given, Mr. Munnell requested that he be granted permission to consider Assembly Bill No 1440.

The roll was called, and permission granted Mr. Munnell to consider Assembly Bill No. 1440 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69

NOES—None.

CONSIDERATION OF ASSEMBLY BILL NO. 1440

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Munnell:

Resolved, That Assembly Bill No. 1440 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69

NOES—None.

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

Assembly Bill No. 1440—An act providing for the constitution of the municipal court in a district embracing the Towns of East Los Angeles and Belvedere, Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—59

NOES—George D. Collins and Luckel—2.

Bill ordered transmitted to the Senate.

PERMISSION GRANTED TO CONSIDER ASSEMBLY BILL NO. 1458

Pursuant to Joint Rule No. 23, with the consent of the Speaker, Mr. Munnell requested that he be granted permission to consider Assembly Bill No. 1458.

The roll was called, and Mr. Munnell granted permission to consider Assembly Bill No. 1458 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey,

Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, and Mr. Speaker—62.
NOES—None.

CONSIDERATION OF ASSEMBLY BILL NO. 1458

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Porter:

Resolved, That Assembly Bill No. 1458 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, and Mr Speaker—64.
NOES—George D. Collins—1.

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

Assembly Bill No. 1458—An act providing for the constitution of the municipal court in a district embracing the City of South Gate, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, and Mr. Speaker—57
NOES—George D. Collins and Luckel—2.

Bill ordered transmitted to the Senate.

PERMISSION GRANTED TO CONSIDER ASSEMBLY BILL NO. 1419

Pursuant to Joint Rule No. 23, with the consent of the Speaker, Mr. Chapel requested that he be granted permission to consider Assembly Bill No. 1419.

The roll was called, and permission granted Mr. Chapel to consider Assembly Bill No. 1419 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal Rumford, Shaw, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—64.
NOES—None.

CONSIDERATION OF ASSEMBLY BILL NO. 1419

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Chapel:

Resolved, That Assembly Bill No. 1419 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal Rumford, Shaw, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—64.

NOES—None.

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

Assembly Bill No. 1419—An act providing for the constitution of the municipal court in a district embracing the City of Inglewood, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

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

AYES—Beck, Belotti, Berry, Brady, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1171

Mr. Munnell asked for, and was granted unanimous consent to take up Senate Bill No. 1171, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1171

Senate Bill No. 1171—An act to amend Section 117m of the Code of Civil Procedure, relating to the issuance of abstracts of judgment in small claims courts.

Bill read third time.

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

AYES—Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1168

Mr. Munnell asked for, and was granted, unanimous consent to take up Senate Bill No. 1168, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1168

Senate Bill No. 1168—An act to add Section 31a to an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to traveling expenses of assigned judges.

Bill read third time and ordered passed on file.

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

Tomorrow, Saturday, June 23d—At 9 a.m.—

Rules, in Lounge Room.

FINAL REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON FINANCE AND INSURANCE (H. R. 239)

MEMBERS OF THE COMMITTEE

ERNEST R. GEDDES, Chairman

JULIAN BECK	HAROLD K. LEVERING
BERNARD R. BRADY *	GLENARD P. LIPSCOMB
THOMAS J. DOYLE *	THOMAS A. MALONEY
FRANCIS DUNN, JR.	CHARLES W. MEYERS
DONALD L. GRUNSKY	G. DELBERT MORRIS
H. W. KELLY **	ROBERT L. CONDON *
FRANK LANTERMAN **	CHARLES W. LYON **
WILLIAM H. ROSENTHAL **	H. ALLEN SMITH **

RICHARD J. DOLWIG, Vice Chairman

LETTER OF TRANSMITTAL

June 21, 1951

Honorable Sam L. Collins
Speaker of the Assembly

DEAR MR. SPEAKER: On behalf of your Interim Committee on Finance and Insurance, created by House Resolution No. 239 of the 1949 Regular Session, we herewith tender the committee's final report

Rather than recite matters now history, as evidenced by the long list of bills sponsored by the members of the committee, we point with justifiable pride to the fact that literally hundreds of man hours of debate and controversy have been avoided by bringing in legislation the

* 1949-1950 Session
** 1951 Session

subject matter of which was heard during the interim. Also the legislation originating with various state agencies has been enacted earlier than in previous sessions because of the services afforded by your committee.

There is, however, one matter of unfinished business to which we call attention. We refer to legislation designed to put a stop to the shameful exploitation of the public by some unprincipled "racketeers" in the field of voluntary health and medical plans. There are a number of such plans which operate under definitely stated provisions of the law and which are serving an ever increasing number of the people of this state. These are in addition to the commercial plans which operate under supervision of the Insurance Commissioner of California.

There are two other plans, the Permanente Foundation and the Complete Service Bureau of San Diego, which operate by their own testimony under no stated provisions of the law. No criticism or complaint has been brought to our attention respecting the above named. When your committee conducted a hearing at which the Insurance Commissioner and representatives of the Better Business Bureaus of Long Beach, Los Angeles and San Diego testified it was stated that these organizations together with the Blue Cross, Blue Shield and California Physicians Service operate in a manner beneficial to the public.

During the current session of the Legislature it has been found impossible to spell out in legislation any description of the plans operating under specific and particular provisions of the law which is acceptable to the other organizations purporting to operate under Section 9200 of the Corporations Code.

Unfortunately the amendments to Assembly Bill No. 2693 which were put into the bill in the Senate Committee on Judiciary by the advocates for the Permanente Foundation, and acceptable to the Complete Service Bureau, nullified the purpose of the proposed legislation. This purpose was to provide penalties for operation by any person of plans not expressly provided for by law. Still insisting that it would be better for the interested parties to have sponsored their own legislation as the other legitimate voluntary plans have done, the amendments to Assembly Bill No. 2693 referred to above might have been satisfactory to the authors of the legislation except for the fact that a number of the plans and operators complained of, and sought to be put out of business, would escape by the same language inserted in the bill by the sponsors of the amendments.

Accordingly the bill was recalled from the Senate and the action of the Assembly rescinded and the bill referred to the Assembly Standing Committee on Finance and Insurance.

By House Resolution No. 194 of this session, an interim committee to succeed the present one will, we trust, be created and empowered to continue investigation of these matters, and House Resolution No. 195 is introduced to specifically grant the necessary powers to the successor committee.

We recommend that the resolutions be adopted.

In order to provide the Legislature with some background material we submit herewith a recital of the legal history and present status of so-called "Prepaid Medical Plans and Health Services in California."

Respectfully submitted,

ERNEST R. GEDDES, Chairman

JULIAN BECK
BERNARD R. BRADY
ROBERT L. CONDON
THOMAS J. DOYLE
FRANCIS DUNN, JR.
DONALD L. GRUNSKY
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WILLIAM H. ROSENTHAL
H. ALLEN SMITH
RICHARD J. DOLWIG, Vice Chairman

LEGAL HISTORY AND PRESENT STATUS OF SO-CALLED "PREPAID MEDICAL PLANS AND HEALTH SERVICES" IN CALIFORNIA

In the early 1930's individual promoters understood to sell to the public prepaid "medical, surgical and hospital" contracts; in substance, taking money in advance for services to be rendered in the future by third parties, that is physicians and hospitals.

Several such promoters were tried and convicted on charges of conspiring to commit a misdemeanor, to wit: obtaining money under false pretenses.

Since then, particularly in the past few years so-called "prepaid medical plans" that are personal promotion plans of individual laymen and not indemnity insurance by a licensed insurer or service plans legally underwritten by physicians, have caused complaints to be brought before the Insurance Commissioner and Better Business Bureaus. In Southern California particularly in the Los Angeles, San Diego and Long Beach areas have the operations been most extensive and consequently the complaints more numerous.

While many interested persons have demanded that some fly-by-night promotions be prosecuted and driven out of business there has been little evidence on the part of local law enforcement agencies to engage in any attack on the promoters. Whether this is the result of indifference on the part of the local law enforcement agencies or because of a feeling that it is a hopeless task to try to obtain convictions on a state-wide basis we are not prepared to state here. However, at a hearing on these matters held in Los Angeles on October 19, 1950, the District Attorneys of Los Angeles, San Bernardino and San Diego Counties were not represented although the District Attorney of San Diego County did telephone the chairman that his impending action against a San Diego operation precluded his taking part in the proceedings he did promise his cooperation.

In his testimony before the committee the Insurance Commissioner stated that he needed additional legislation in order to take action. The Board of Medical Examiners apparently lacks the necessary investigating staff and funds to accomplish much.

To evaluate the need for new legislation it is necessary to state briefly the present laws apparently violated by these unlicensed, unregulated

plans. In doing this we touch upon the legal history of prepaid health plans in this State.

Briefly stated the basic laws governing prepayment of medical and surgical services or hospital care in California are as follows:

A. A physician or group of physicians may accept prepayment for their services from individual patients, on the same basis that a lawyer accepts a retainer.

B. An individual, corporation or other artificial entity that is not licensed to practice medicine may not sell, on a prepayment basis or otherwise, the services of licensed physicians. Such constitutes the corporate or lay practice of medicine, which is forbidden whether done directly or indirectly, both by case law (*Pacific Employers Ins. Co. v. Carpenter,* 10 Cal. App. (2d) 592) and *Business & Professions Code,* Section 2008.

C. A promise to indemnify or reimburse for medical, surgical or hospital services rendered in the future is an insurance contract, and may not be undertaken except by insurance carriers licensed under the Insurance Code. The Insurance Commissioner can enjoin the carrying on of an unlicensed insurance business (*Insurance Code Sec. 12928.6*).

D. An individual hospital may charge in advance for its services, but if a group of hospitals form a prepayment plan for hospital care, such plan must be licensed by the Insurance Commissioner, under Sections 11491-11517 of the *Insurance Code.* There are two such plans in California, known as Blue Cross plans.

E. Under *Section 9201* of the *Corporations Code* and by virtue of Supreme Court decision (*California Physicians' Service v. Garrison,* 28 Cal. (2d) 790), a group of licensed physicians numbering at least one-fourth of all the licensed physicians in the State may form a nonprofit corporation for the purpose of selling prepaid medical care to the public, and, as an incident thereto, such auxiliary services as drugs and hospitalization. *Corporations Code Section 9201* is the only statutory permission for prepaid medical *service,* as distinguished from medical *indemnity,* which is a phase of disability insurance. So far California Physicians' Service (hereafter designated as C.P.S.) is the only corporation formed under *Section 9201 of the Corporations Code.*

F. Obtaining money under false pretenses, and fraud and deceit, are of course crimes under the *Penal Code,* Sections 484 and 182.

LEGAL HISTORY OF "PREPAID MEDICAL PLANS" IN RELATION TO CORPORATE PRACTICE OF MEDICINE AND INSURANCE LAWS

(a) *Corporate practice of medicine:* In 1935 Pacific Employers Insurance Company submitted to the Insurance Commissioner for approval (as required by the Insurance Code) a form of contract under which medical and surgical services would be available to the policyholders, provided that the policyholders obtain such services from physicians selected or designated by the insurance company; in other words, a policy covering future medical costs limiting the policyholder to a "closed panel" of physicians. The Insurance Commissioner refused to approve the policy form on the ground that it called for an illegal act, to wit: the

corporate practice of medicine. The insurance company sued the commissioner, and the district court of appeal held in favor of the commissioner, stating that

> "* * * it is clearly declared unlawful for a corporation to indirectly practice any of the learned professions for profit by engaging professional men to perform professional services for those with whom the corporation contracts to furnish such services. * * * The professions are not open to commercial exploitation * * *."

The court also said:

> "* * * the policy is more than a mere contract of indemnity. We believe petitioner's (insurance company) own designation of the policy as a 'medical service policy' more nearly describes the true nature of the agreement. It is essentially an agreement by the petitioner to furnish medical services and other professional services through its own appointed staff of professional men, rather than an agreement to indemnify against indebtedness by the insured for such services with professional men of his own choosing."
> (*Pacific Employers Ins. Co.* v. *Carpenter,* 10 Cal. App.)

Another insurance company at about the same time also endeavored to secure Insurance Commissioner approval of a contract form under which the insurance company agreed to pay for medical services, but only if rendered by physicians designated by the company's "Policyholders' Committee". This, likewise, was held to be corporate practice of medicine, and the insurance company was forbidden to issue the policy form in question. (*Benjamin Franklin Life Assurance Co.* v. *Mitchell,* 14 Cal. App. (2d) 654.)

In 1937 the Medical Practice Act was codified into the Business and Professions Code, at which time a new section was added (*Business and Professions Code, 2008*) to the Medical Practice Act reading as follows:

> "Corporations and other artificial legal entities have no professional rights, powers or privileges."

At about the same time a corporation known as Pacific Health Corporation undertook to sell contracts to the public on a monthly premium basis, under which the corporation agreed to furnish the services of physicians and hospitals in the event of illness or injury to the contract-holder. The contracts provided that the medical services would be furnished through a panel of physicians selected by the corporation; except in the case of an extreme emergency, if the contract-holder secured care from a physician not on the panel the corporation was under no duty to pay. Essentially the contract was the same as the insurance policies involved in the *Pacific Employers* and *Benjamin Franklin* cases, the only difference being that the Pacific Health Corporation by-passed the insurance laws and went into business without bothering to qualify as an insurance company.

The Attorney General at the request of the Board of Medical Examiners commenced a *quo warranto* action against Pacific Health Corporation, to revoke its corporate charter on the ground that it was illegally practicing medicine. In September, 1938, the California Supreme Court held that the Pacific Health Corporation was illegally practicing medicine

through its selected medical panel, and affirmed the judgment of the trial court terminating the corporation's charter. (*People* v. *Pacific Health Corporation*, 12 Cal. (2d) 156.)

One of the defenses raised by Pacific Health Corporation was that if the Supreme Court held it to be illegal, then the court was necessarily questioning the legality of such old established plans as the Southern Pacific and Santa Fe hospital associations, the French Benevolent Society, etc. With respect to this argument, the Supreme Court properly held that the only corporation before the court was Pacific Health Corporation, and that it could not decide and was not deciding the legality of any third party. The court said:

> "It should be pointed out that the fear of applying the holding of this case to such philanthropic associations as those mentioned does not exist in the minds of the directors thereof, nor has it been suggested that the public authorities contemplate any attack on them. This illusory apprehension is expressed by defendant alone, in an attempt to bolster up its case * * *".

Unfortunately, the court then proceeded to discuss the very organizations that it had said were not before it, and observed that fraternal or other nonprofit associations do not commercially exploit the medical profession. The court said:

> "The public is not solicited to purchase the medical services of a panel of doctors; and the doctors are not employed or used to make profits for stockholders."

If one reads the Supreme Court's opinion in full, it is obvious that the court intended to draw a distinction between nonprofit group medical care plans, operating on a charitable or semicharitable basis and not soliciting the public, and other plans that are commercial, directly or indirectly, and do solicit the public. As to the latter, the court condemned their activities as corporate practice of medicine and illegal. However, isolated sentences from the opinion are frequently quoted to support the contention that any corporation organized on a nonprofit basis may sell medical services to the public. This simply is not so, and is a distortion of the court's ruling.

(b) Transacting insurance without a license:

In 1939, when C.P.S. was formed, the then Insurance Commissioner threatened to commence injunction proceedings, but before the Commissioner acted C.P.S. itself commenced suit for declaratory relief. In 1941, the Legislature enacted *Civil Code Section 593(a)*, now *Corporation Code Section 9201*, described above. The case between C.P.S. and the Insurance Commissioner was finally decided by the Supreme Court in 1946, and the court held:

(1) That the Legislature intended, by enacting *Civil Code Section 593(a)*, to provide for regulation of C.P.S. through the Board of Medical Examiners and the Attorney General, rather than through the Insurance Commissioner, and

(2) That in any event, C.P.S. constituted a *medical* corporation, selling *services* of its member physicians, and that such sale of services was not the conduct of an insurance business (*C.P.S.* v. *Garrison*, 28 Cal.

(2d) 790). In this case, the Supreme Court distinguished between a contract of indemnity or reimbursement, which is an insurance contract, and a contract for the performance of personal services.

It is to be noted that the court was considering a corporation that was operating under a specific statute and that had complied with all of the requirements of that statute. It is also to be noted that the court was considering a corporation that could fulfill the service promises made by it, because thousands of physicians had contracted with the corporation to do so. Finally, it is to be emphasized that the statutory basis for C.P.S. (*Civil Code Sec. 593(a)*, now *Corporations Code Sec. 9201*) specifies that a nonprofit health service corporation must have contracts for performing services with at least one-fourth of all the licensed physicians in the State, and that membership in the corporation and an opportunity to render professional services must be available to all licensed physicians; in other words, the panel must be an open panel, with complete free choice, and not a closed panel. A person who buys a C.P.S. contract must by law be free to choose his own physician; C.P.S. cannot do the choosing or selecting, directly or indirectly.

PRESENT STATUS

The present status of so-called prepaid medical plans and health services and the present situation which caused this committee to begin investigations in this field arise from attempts by laymen to operate unregulated plans.

It appears that the articles of incorporation of the C.P.S. have in instances been copied and nonprofit corporations formed to exploit the public by means of the sale of contracts or membership rights calling for prepayment of medical services. It should be pointed out that while the operation of some of these plans may bear a superficial resemblance to the legally authorized plan the provisions of the law as to the number of physicians required to form the nonprofit corporation (at least one-fourth of all licensed physicians in the State) is ignored.

When questioned the operators of such plans claim (1) that they are just doing the same thing that C.P.S. is doing, and (2) that the Supreme Court in the *Pacific Health* case said that nonprofit corporations could practice medicine.

Overlooked, apparently, is the fact that in the *Pacific Health* case the Supreme Court limited its observations to charitable corporations that do not solicit the public.

The solicitation of the public, the expense of doing so and the advertising and other means employed are among the most important testimony and materials collected in its investigations by this committee.

In all of the plans which have come to light the great majority have been characterized as practically worthless by the Insurance Commissioner and other witnesses before this committee. But the Insurance Commissioner has characterized as performing a satisfactory service insofar as lack of complaints and apparent financial stability such plans as Complete Service Bureau of San Diego and Permanente Health Plan operating in several California cities. The legal operation of California Physicians Service and the Blue Cross services is unquestioned under the statute cited.

Not so however with the American Independent Medical and Health Association, also of San Diego. The greater number of complaints recited by the Insurance Commissioner and the Better Business Bureaus were against this operator which was finally seized by the Insurance Commissioner for illegally conducting an insurance business without a license. It is unfortunate that the Complete Service Bureau and the American Independent Medical and Health Association must be compared. But a law applying to one would, in our opinion, apply to the other and likewise the violation of present statutes is indicated in both cases.

It appears that the points overlooked or ignored by these organizations are these:

(1) In the *Pacific Health* case the Supreme Court limited its observations to *charitable* corporations that do not solicit the public.

(2) They do not and cannot operate under the statute provision under which C.P.S. operates (at least one-fourth of licenciates of the profession to be members).

(3) If such organizations have a panel of physicians whose services they sell then they are engaging in the corporate practice of medicine.

(4) If they do not have a panel of physicians and indemnify or reimburse the member, i.e. contract holder. for medical expense, regardless of where the contract holder receives the service they are then engaged in the insurance business.

It appears that on this basis the Insurance Commissioner finally moved in the matter of the American Independent Medical and Health Association.

A study of some of the documents in the case serves a threefold purpose; (1) to show the brazen manner in which the operators flaunted their operations in the face of the committee. (2) to show the conditions found by the examiner for the Insurance Commissioner and the grounds on which the commissioner acted and, (3) to give pause before suggesting legislation which by licensing under special provisions would allow such operators to continue under "regulation".

A recital in detail of all of the other organizations complained of would take a great deal of space but provide no better illustration than the one case presented here.

As stated previously, during hearings held by this committee in Los Angeles on October 19, 1950, one of the organizations most often mentioned in testimony or exhibits reciting complaints was the American Independent Medical and Health Association. Within a few weeks after the hearing which had been reported in the press officers of the above association went into action.

Addressed to each member of this committee was an individually typed letter on an elegantly printed letterhead. These were enclosed in separate envelopes which had been mailed "registered mail" to the member at the State Capitol in anticipation of the scheduled hearing held in Sacramento, November 16 and 17, 1950.

The letter addressed to the chairman and the two enclosures mailed with it are quoted below.

First the letter:

AMERICAN INDEPENDENT MEDICAL AND HEALTH ASSOCIATION
Suite 1123 Bank of America Bldg.
San Diego 1, California

The Honorable Ernest R. Geddes, Chairman
Assembly Interim Committee on Finance and Insurance
California State Legislature
Sacramento 14, California

MY DEAR MR. GEDDES: We take this occasion to bring to your attention some of the basic facts pertaining to this organization and its operation; facts we feel you should know and will agree should be given fair appraisal in connection with any approach to appropriate legislation affecting or regulating those operating in the field of voluntary prepaid medicine.

This is indeed today a field in which, as never before, every man, woman and child has a stake. It is one which has been made a paramount issue of the day and by like token should be accorded a full review of *all* the facts because, directly or indirectly, *all* the people are ultimately affected.

In our own case, for example, we have in excess of 15,000 active members . . . individuals and members of families for whom membership has represented and continues to represent protection, i.e. ways and means of meeting the expense of hospital and medical care and treatment. This expense is usually unexpected and even though gainfully employed most families are unable to meet it, at least without borrowing, seriously depleting family savings, or even resorting to public assistance. These are people who in good faith value their membership in our organization. These are people for whom claims have been paid in good faith by this organization, as the records will reveal. Further, these are people whose interest and welfare are, we feel assured, of prime concern to you who represent them in the State legislative body and thus must necessarily enter into your consideration of this entire question and the setting up of any manner of legislation remedial thereto.

In presenting the following facts we respectfully call attention to an important point of which we realize you are well aware but which has been seriously clouded by the various factors which have been responsible for the bringing about of this "picture", to wit:

California is a wide open field for all types of health and medical rackets; especially since people come here from all over the United States, are new to the locality in which they settle, and can thus more readily be made victims of many and varied types of rackets and schemes. Those in the field of health protection are even more unscrupulous because they attack at a vulnerable point . . . one at which human need is commonly existent and where the "take" becomes even more vicious. Here too, people are more "health conscious" than probably in any other state and thus constitute a more fertile field than elsewhere. However, and what we would urge not

be lost sight of or overlooked in any review or analysis of this situation is that there *are* a number of organizations doing a worth-while job in this field and in aiding residents of our State to achieve and maintain better health. We make no apology nor do we hold any reservation in including this organization in this group.

All are not rackets and all are by no means out to swindle our citizens, "humble" or otherwise. These organizations are concerned, and rightly so, not only in operating legitimately and for the combined interest of all members but also in protecting the benefits of these members when confronted with any situation which could jeopardize or threaten these benefits and the manner in which it becomes possible to offer them. These are not "fly-by-nights" but rather live here and live "with" those whom they number as members. They are more vitally concerned in eliminating the evils found existent in this field and in controlling the operations of those who would prostitute it than anyone because to keep this field clean is to maintain the life-line of their business and the job they are endeavoring to do.

Our organization, for one, is in its fourth year in the medical and health field and has reason to feel a good job has been done despite many obstacles and the fact that to start with we had no yardstick to go by in making decisions, etc., despite the fact that not only have we been included in "blanket indictments" of the industry itself but have on more than one occasion borne the brunt of being singled out for particular scrutiny, possibly by virtue of the fact that we *have* survived and that we *have* continued slowly but surely to grow and increase our membership as well as the benefits available thereunder.

Therefore, you should have the facts, we want you to have the facts . . . all the facts about us. We stand on them and shall welcome the opportunity to furnish any additional data which may be pertinent or desired. The following are significant:

1. We commenced business in July of 1947. Originally, the organization was run by one person, until such time as the corporation papers could be prepared and accepted by the State. The corporation was accepted by the State in June of 1948. We are now operating as a nonprofit corporation with Home Office in San Diego. We also operate in Los Angeles, San Francisco and San Bernardino.
2. We are a membership organization in which the interests of all members are interwoven. We make available to the members bonafide benefits, covering hospital, surgical and medical care and treatment.
3. The Association represents, in effect, a pool or reservoir of funds (these are the dues which members pay) available to members who have health emergencies. Naturally, in order to protect the members' interests it is necessary that there be established regulations to govern the eligibility of members for benefits. These are all paid in specific accordance with the membership certificate (contract). Membership is now sold on a money-back guarantee,

under which misrepresentation in any way, shape or form is rendered virtually impossible.

4. As of January 1, 1950, we converted from the original plan, whereby members were offered certain specified savings on hospitalization and health care to a complete plan of voluntary prepaid medical care including maternity care, effecting savings as set forth in the membership contract.
5. During the period January through September, 1950, we have paid approximately $20,000 in claims for hospital and medical care and treatment . . . this too is confirmed by the record.
6. Our membership now totals in excess of 15,000, as herein beforestated.
7. The Board of Trustees consists of five seats, of which the following comprise the present officers: A. G. Barnes, President; Genevieve Howard, Executive Secretary, and J. C. Fortune, Executive Vice President. The Board of Governors, which is actually the governing body of the organization, consists of 11 seats.

During March and April 1948, this organization underwent an investigation by the City Attorney's office in Los Angeles, the claim being that we were operating illegally. In attendance at these hearings were representatives of the Better Business Bureau and of the Insurance Department of the State of California. The Better Business Bureau had eight complainants and further stated that that was all they had, although at that time we maintained a membership of well over 2,000. The complainants withdrew their charges during the hearings, as they were all disproved. During the course of the investigation, we invited the Insurance Department and the Better Business Bureau to come down to our offices and examine our records. The Insurance Department sent two representatives who checked our records against our statements and representations, confirming that we had paid all eligible claims. The charges were dropped, as it was proved to all concerned that we were operating within the law, both legally and legitimately. At the last day of the hearing, during which the charges referred to were formally dropped, we requested all interested parties at the hearing to arrange a meeting with medical and health representatives, in order that a code of ethics might be established by which all such organizations could be judged. There has never been any action taken on this request.

We are not objecting to the setting up by law of some code of operations by which organizations such as ours might be governed; in fact, would welcome the supplying of data which might be utilized in its codification. However, we do feel there should be a proper and equitable way to do it, predicated upon facts and figures derived from and consistent with the actual field of voluntary pre-paid health protection, incorporating and reconciling the idiosyncrasies found peculiar to this field rather than some other, presenting still different problems, limitations and possibilities to do the job.

We are more than just "aware" that there are numerous health and medical rackets operating in California but certainly any honest

approach to the correction of such practice must differentiate between what is good and what is bad, between the sheep and the goats. We feel that you will agree the only logical method of doing this is actually looking into just how each one actually does operate rather than grouping, and either blessing or condemning all, or what is even less logical, blessing one or two on the basis of presumed righteousness, validity of purpose, or stability of operation.

It has been and continues to be our conviction that much of the pressure brought to bear on this particular organization has been and likewise continues to be sponsored in major degree by those interests who would parade rumor, distorted fact and inaccurate statistic across the stage, all under the guise of seeking protection for the uninformed, where in reality it has been resentment toward if not actual fear of what we as a small organization have been able to offer and continue to offer and, what is more, have proved can be "worked" in the way of a pre-paid medical plan. It just does not stand to reason that the motivating factor here has been an urge to "enlighten" for the simple reason that enlightenment requires facts on both sides of any question and in this case the facts have either not been secured or, where secured, apparently discarded as not serving the point to be gained.

For example . . . it has come to our attention on more than one occasion lately that we are being "knocked down" in no uncertain terms from certain quarters. To cite one case, a statement was made to one of our members to the effect that checks we had tendered in payment of claims had, to use the slang vernacular, "bounced". To refute this particular accusation, we would merely have to refer anyone to the main office of the Bank of America here in San Diego where our Home Office account for the payment of claims is carried. Mr. Graydon Hoffman, Vice-President of the Bank of America, is familiar with our operations and the handling of this account and has indicated his willingness to readily testify as to the falsity of any such statement. However, we do not have the opportunity of refuting such statements but rather they merely find their way to the public and those we serve and redound to our undeserved detriment and loss in terms of public relations. This sort of thing is typical of what has been occurring and still prevails.

We have in the past made a policy, perhaps at the cost of a greater public knowledge and thus recognition of our product, of not employing expensive and extensive advertising programs. This has been done in order that all possible strength could be maintained behind each membership, to the end of stabilizing the plan itself. Figures submitted to top management at the San Bernardino Air Base at the time (August 1949—Ref: Roy C. Mesker, Chief, Civilian Personnel Section) when this plan was accepted at the base over all others then being considered showed the extent to which the amount we can show behind each member does create a stable "picture", even as compared both to other types of plan and other plans of this type.

Another feature which has characterized our particular modus operandi has been the maintaining of a low operating cost. Numerous and varied functions have been assigned to and assumed by a few key personnel to the end of keeping down the administrative overhead.

In other words, every cent received in the form of membership dues, other than that required for nominal administrative cost, is set aside and made available for the avowed purpose of the organization, i.e. the providing of specified hospital, surgical and medical benefits to its members. Plans are at this time under way to set up and establish, in the form of United States Government Bonds a contingency or reserve fund, aside from and in addition to that from which payment of members' claims for benefits are now paid. From a purely practical point of view, it is really immaterial into how many parts our general funds are segregated. However, we feel that the setting up of the contingency in this manner will more clearly manifest our intentions and policy.

In essence, we merely constitute a group operating on a cooperative basis to effect savings on hospital and medical care and treatment by means of a common fund set up to meet the exigencies of illness or injury to its members on the basis and at the time of actual need rather than on any fixed or predetermined figure presumed to meet such need. The insurance industry, for example, has endeavored to meet this need on a purely indemnifying basis and this has not been the answer, for the reason just stated.

On the other hand, any approach to this field which by its nature tends to burden or dictate to the medical profession itself is certainly not the answer, for this is impeding the very arm through which the plan must be activated and administered We have reason to believe that the medical profession realizes the disadvantages that such a plan can impose.

It was for the purpose of simplicity of operation and to voluntarily place ourselves under the jurisdiction of a state agency that this organization was incorporated In this manner we became subject to the scrutiny and jurisdiction of the State Attorney General's Office. We have in the past submitted our complete records for inspection and are very willing to continue to do so. They have likewise been open to the Los Angeles City Attorney, the Better Business Bureau, and the Insurance Division. In spite of the fact that we are not obligated to expose our records to the Better Business Bureau and the Insurance Division we have been pleased to do so. In fact, on numerous occasions we have taken the initiative and requested that these and/or any other authorized agencies inspect our records. We still welcome such inspection Furthermore, we have repeatedly requested that any city, county or state agency, as well as the Better Business Bureau, take up with us any complaint which might be registered with them in order that we might submit our files on the case for examination and if it were found we were in the wrong that appropriate remedial action might be taken to effect correction or adjustment.

Naturally, as long as there exists a human element in business there will exist some who are dissatisfied with what they have received or with the company from which they have received it. This is exemplified by the thousands of unjustified complaints received by Better Business Bureaus throughout the country each month. By this we do not mean that we feel no complaint received against this organization could be warranted, for no business actually "doing business" could make such claim. What we do mean, however, is that no complaint filed with any agency anywhere can rightfully be considered to constitute derogatory information regarding the firm, person or business policies involved until or unless both sides are heard and the full facts secured. Furthermore, even if the object of the complaint be found to be in the wrong but voluntarily and readily makes proper adjustment, then there is surely no just cause for subsequent castigation or derogatory report.

This is the course we have long since endeavored to pursue and, in fact, guarantee such procedure contractually to members in each membership certificate.

Again and finally, the same interests to which reference has been previously made herein have done much to "sell" to the agencies mentioned the idea that any organization such as ours, i.e. not coming within their self designated or exclusive domain cannot be bonafide, cannot be other than out to cheat the public. Of course, it might be said that such a travesty requires no rebuttal. However, to brush it off in this fashion could still readily leave a doubt, so again we say let's see if we have been doing what we have undertaken to do, but let's above all make this determination on the record of what we *have been able to do* rather than what someone else *has not chosen to do.*

Please understand . . . our reference to interests which have chosen to bring pressure to bear is not vindictive but only factual. However, we feel the situation here is too important . . . too vital to too many people to be dealt with other than in the light of the full and undisguised facts. There is more than caveat emptor involved here . . . there is and should also be, "let the seller take care."

In closing let us once more reiterate that we are not proposing that *all* so-called hospital and medical plans are cloaked with integrity but we do feel it is long past the time when some differentiation should and must be made. It has been for this very reason that we have long urged formulation of a code of ethics or some stipulated control be set up to govern the industry, possibly designated by the Attorney General's Office. Such a code would necessarily reconcile and accommodate itself to the particular needs and requirements peculiar to this industry. Furthermore, any member not strictly and faithfully adhering thereto in good faith would certainly have no excuse for its continued existence. To be sure, this particular approach may not be the answer . . . there may be a still better way . . . but whatever it may be, we urge that it be equitable to those legitimately operating in this field . . . not only in differentiating between the manner in which they operate and serve the public but also that the industry itself not be subjegated to or

placed at the whim or prejudiced discretion of those who would render ineffectual any effort to fulfill a need which they have chosen to ignore because of a more lucrative, if less realistic appraisal thereof . . . or on the monopolistic creed of "one for all and that is all."

We have nothing to conceal. We feel there is a great deal which could stand revealing. Also, we feel assured that any consideration of this matter on your part, as well as any decisions you may reach will include a concern for and recognition of the welfare of those members we represent and whom you likewise represent, as well as regard for the American prerogative of free enterprise and the healthy competition it engenders.

Respectfully,

(Signed) GENEVIEVE HOWARD, Executive Secretary
American Independent Medical
and Health Association

November 10, 1950

Mr L. D. Hotchkiss, Editor
Los Angeles Times
First and Spring Streets
Los Angeles, California

DEAR MR. HOTCHKISS: An article appeared in the Los Angeles Times under date of October 20, 1950, Volume LXIX-C, Page 7, Part II, Column 6, quoting Mr. Wallace K. Downey, California Insurance Commissioner, and Mr. Robert J. Bauer, Manager of the Los Angeles Better Business Bureau, regarding the need to control medical benefit societies operating in California by enactment of State legislation.

We are in full accord with this position and recognize the existence of such "racketeering" practices within the field of voluntary pre-paid medicine, as well as the need for some method of control. In fact, we have on more than one occasion urged that some code of ethics be established to do just this . . . i.e., at once, restrain the unscrupulous and protect the legitimate.

However, we do not feel that all organizations, other than the one or two to which actual recommendation is given and blessing extended, in the article in question should be penalized through such "blanket indictment" which castigates through inference "all" other organizations operating in this field.

Fortunately, as is the case in most spheres of business, "the exception proves the rule", rather than the reverse, and "all" are not devoid of scruple.

Therefore, we are enclosing for your information and use an "open letter" pertaining to this matter and would request, in line with what we feel is your paper's policy of giving fair coverage to both sides of any question, that same be published as a public service in a forthcoming edition.

Copies of this letter together with additional facts and figures pertaining to our particular business are being sent to the California Division of Insurance, the Better Business Bureau, and members of the Assembly Interim Committee, in order that the entire

"picture" and just where we stand may be brought into clearer focus. As stated in the enclosed letter, our records are always available and we'll stand on the facts.

Your cooperation in this matter is respectfully sought. May we hear from you regarding it?

Sincerely,

A. G. BARNES, President
American Independent Medical
and Health Association

November 10, 1950

Open Letter to the Los Angeles Evening Herald & Express

It was indeed a great source of satisfaction to read the recent article in the Los Angeles Evening Herald & Express, wherein Mr. Wallace K. Downey, California Insurance Commissioner, and Mr. Robert J. Bauer, Manager of the Los Angeles Better Business Bureau, took occasion to point out the need for state laws regulating the so-called fly-by-night medical societies operating in California.

Both Mr. Downey and Mr. Bauer stated, and with justification, that these irresponsible groups cast a shadow in many people's minds on legitimate organizations in this field.

However, the regrettable feature of this entire article was that it failed to go far enough. In other words, only a partial picture was given and, pursuant to the old and proven axiom, "A little knowledge is a dangerous thing."

In this case it is particularly dangerous because it not only works to the detriment of other than the one or two reputable organizations singled out for particular recommendation but also jeopardizes the security and peace of mind of thousands of people who happen to be members of certain other group health plans which *do* happen to be operated legitimately and in accord with the approved concept of voluntary pre-paid medical protection, the very freedom of choice principle of which is now so strongly urged in our daily newspapers and on the radio by the medical profession The "Voluntary Way is the American Way", we are told, and it is on this principle that this organization, for one, is operated.

We are not the largest, to be sure, but we do have some 15,000 active members and are rapidly growing, now being in our fourth year of operation. In our case, membership does not consist of "putting members in touch with a doctor or hospital", as referred to in the article in question, but offers a complete and definite schedule of hospital, surgical and medical benefits, on which comparison with any plan available is welcomed.

Payment of membership benefits is based on facts, findings, laboratory pathology and history submitted by the member's own doctor and hospital. These people have paid membership dues in good faith and their claims for membership benefits have been paid in good faith, as our records will reveal. These records *have been* and *are* open to the Insurance Division, the Better Business Bureau or any authorized agency to examine.

"What we are getting at is just this: We do not feel that organizations operating as we are should be included in any implied

"blanket indictment" of the unscrupulous in the field of voluntary health protection, nor for that matter, can we believe it to be actual intention of either the Insurance Division or the Better Business Bureau to brand the innocent with the guilty. This is definitely not the "American Way."

We, as an organization, are well aware of the so-called medical rackets doing business in California; in fact, we have on more than one occasion urged that some practical code of ethics be set up to regulate this industry, for the protection of those legitimate organizations operating in the State and for the thousands of members represented thereby and for whom adequate medical care and treatment is thus made possible. Such a code would not only safeguard our "humble citizens" who fall gullible prey to "gyp" deals but would also serve as a means of identifying rather than concealing in the mass those who are trying to do an honest job.

This Association is in no way, shape or form either directly or indirectly connected with any other similar or dissimilar organization, group or individual; nor does any other group or individual in any manner designate or control its policies nor its operation which is at all times in the interest of its total and complete membership. This is just good common sense of survival and can be checked for the record. It stands on its own feet and asks no favor from anyone. We feel that our product is good . . . that it needs no apology. Our members feel the same way about it. We want to do our part in making California free from the swindler and the racketeer who would prostitute this or any other field in which he could find a footing. In fact, the keeping of this field clean is more vitally important to us than anyone for this *is* our business and we want to retain the trust and confidence of those who have made it possible . . . of those who have and shall continue to benefit through their membership, to this they have and will attest.

On our own score, whenever we may be wrong, we want to know about it . . . but now. However, we want to be judged on those facts which apply *to us* and not on those pertaining to any "condition" which may exist in the field in which we happen to operate.

What is more, we do not feel that ours or any legitimate organization should be penalized because of the wrong doing of "others" in the same activity, nor yet that certain "others" should actually benefit from the same situation.

Let each stand on and face the facts on its own merits. This surely must be the "American Way."

AMERICAN INDEPENDENT MEDICAL AND HEALTH ASSOCIATION

Surely one who reads the above must feel that here is a maligned and persecuted institution trying to do good, lost in the maze of red tape and patiently and with exemplarly forebearance putting up with misunderstanding and suspicion.

For emphasis we quote the following underligned phrases and then shall compare them with the facts revealed by the Examiner for the Insurance Commissioner of the State of California when the American Independent Medical and Health Association was seized by him.

(Mrs.) Genevieve Howard who signed the letter to the chairman, quoted above, is also the A. G. Barnes, president of the respondent association.

In her communication we read these phrases underlined and immediately thereafter quote the facts disclosed by the examiner.

From the letter:

> For example * * * it has come to our attention on more than one occasion lately that we are being "knocked down" in no uncertain terms from certain quarters.
>
> To cite one case, a statement was made to one of our members to the effect that checks we had tendered in payment of claims had, to use the slange vernacular, "bounced." To refute this particular accusation, we would merely have to refer anyone to the main office of the Bank of America here in San Diego where our Home Office account for the payment of claims is carried."

Comment

From the Report of Examination:

Bank Balance at Various Dates, (O.D., indicating a debit balance or Overdrawn)

July 1, 1949	$46.60
August 31, 1949, O.D.	109.89
September 30, 1949, O.D.	285.89
October 31, 1949, O.D.	6.03
November 30, 1949, O.D.	38.23
December 31, 1949, O.D.	22.75
January 31, 1950	782.84
February 28, 1950	1,843.74
March 31, 1950	1,743.07
April 30, 1950	1,426.69
May 31, 1950	1,347.21
June 30, 1950	636.50
July 31, 1950	1,081.72
August 31, 1950	4.15
September 30, 1950, O.D.	135.75
October 31, 1950, O.D.	1,157.97
November 1-November 21, 1950, O.D.	170.21

Note that in seven of the sixteen months there was a bank overdraft and probably at the very time Genevieve Howard wrote the letter sent to the committee chairman. Had this been made in sworn testimony before the committee said Genevieve Howard would be in danger of being cited for contempt or perjury.

Again a paragraph of the letter states:

> "We have in the past made a policy, perhaps at the cost of a greater public knowledge and through recognition of our product, of not employing expensive and extensive advertising programs. This has been done in order that all possible strength could be maintained behind each membership."

Comment

The Report of Examination does not bear out the above statement.

In the period June 6, 1947 to June 30, 1949 out of $78,850.37, gross receipts from members there was expended for Advertising, Printing and Postage the sum of $14,405.13. For the period from July 1, 1949 to June 30, 1950 received as gross receipts from members, less refunds $42,786.72 and expended for the same items as above $6,354.57. From July 1, 1950 until November 21, 1950, when so "rudely" interrupted by the Insurance Commissioner, net receipts were $41,145.87 and the amounts charged to the same items totaled $4,654.64 or a modest 11.2 percent of net receipts. We have included postage with the advertising and printing charges because of the extensive use of the mails in the promotional plan of American Independent Medical and Health Association.

There are other comparisons which the reader of this report can make for himself but we cannot pass on to other matters without drawing particular attention to this statement in the Genevieve Howard letter. It reads as follows:

> "Another feature which has characterized our particular modus operandi has been the maintenence of a low operating cost. Numerous and varied functions have been assigned to and assumed by a few key personnel to the end of keeping down the administrative overhead. In other words, every cent received in the form of membership dues, other than that required for nominal administrative cost, is set aside and made available for the avowed purpose of the organization i.e., the providing of specified hospital, surgical and medical benefits to its members."

Comment

If the writer of the letter consciously or unconsciously toyed with the truth in the other statements made, in this one she shoots so wide of the mark that we have no other conclusion to draw than that here she is deliberately seeking to mislead the recipient of the letter. We are forced to this conclusion when we realize the import of the Report of the Examination by the Insurance Commissioner's office where it is stated:

> "Only twelve cents of each dollar of dues collected has been expended for hospital, medical services and indemnities to members."
>
> "The remaining eighty-eight cents of each dollar collected has been utilized for administrative expenses."

We are forced to disagree with Genevieve Howard as to her statement—"every cent received in the form of membership dues, other than that required for *nominal* administrative cost is set aside and made available for the avowed purpose of the organization * * *" when we examine the salary arrangement she, and Jesse C. Fortune, President of the Association, have made by and with themselves.

In the "accounts payable, officers" section of the Report of Examination we find these illuminating disclosures.

AMERICAN INDEPENDENT MEDICAL AND HEALTH ASSOCIATION
STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS
JUNE 12, 1947, TO NOVEMBER 21, 1950

	6-12-47 to 6-30-49	*7-1-49 to 6-30-50*	*7-1-50 to 11-21-50*	*6-12-47 to 11-21-50*
Bank balance brought forward	----	----	$636.50	$636.50
Gr receipts from members	$76,850.37	$44,045.41	40,470.07	161,365.75
Less membership refunds	----	1,258.59	79.90	1,338.49
	$76,850.37	$42,786.72	$41,026.67	$160,663.76
Reimbursement by members for medical fees advanced	----	----	119.20	119.20
Net receipts	$76,850 37	$42,786.72	$41,145.87	$160,782.96
Cost of Operations				
Medical and hospital				
Commissions	$24,380.58	$12,048.58	$11,140.94	$47,570.10
Salaries and wages	11,109.03	2,210 50	5,373.57	18,693.10
Officers' salaries	6,889.56	5,954.67	3,655 00	16,499.23
Advertising	6,608 02	1,912.46	1,132.44	9,652.22
Printing	5,499.09	3,821.17	2,891.78	12,212 04
Tel and Tel	4,200.04	1,390 74	643.31	6,234.09
Travel and entertainment	2,661 73	1,655 58	1,723.96	6,041.27
Business consultant	2,544.00	314 29	1,925.00	4,783.29
Postage	2,297 02	620.99	630.42	3,548.43
Rent	2,109 00	989.20	1,226.38	4,324.58
Bad debts	1,503.10	2,139.97	5.50	3,648.57
Bank charges	----	----	107.47	107.47
Office supplies	1,502.05	406.60	396.83	2,304.48
Legal	856 65	----	930.75	1,787.40
Office repairs	481 30	----	----	481.30
Equipment rental	326.22	----	----	326.22
Taxes	411.03	142.78	90.04	643.85
Gas and oil	133 43	----	----	133.43
Furniture and fixtures	----	1.453.07	984 39	2,437.46
Sales consultant	----	375.00	----	375.00
Industrial consultant	----	175.00	----	175.00
Utilities	119.95	----	5.00	124.95
Contributions	87.00	----	60 00	147.00
Office expense	52.70	762 52	404.06	1,219.28
Medical consultant	----	100.00	490.00	590 00
Compensation insurance	30.00	----	----	30.00
Accounting	25.00	----	----	25.00
Total Cost of Operations	$78,334 77	$43,587.24	$42,283.70	$163,295 71
Net Loss	$(1,484.40)	$(800.42)	$(137.83)	$(2,422 75)

BALANCE SHEET (COMMERCIAL BASIS)
AMERICAN INDEPENDENT MEDICAL AND HEALTH ASSOCIATION
NOVEMBER 21, 1950

Cash in bank			$1,209.11	
Cash in office:		$28.88		
San Diego		24.20		
			53.08	
Cash in office and in bank			$1,262.19	
Furniture and fixtures (estimated)			2,437.46	
Total Assets				$3,699.65
Accounts payable, trade creditors		$5,881.62		
Accounts payable, officers:				
Jesse C. Fortune, manager	$39,108.86			
Genevieve Howard, secretary-treasurer	11,796.67			
		$50,905.53		
Total Accounts Payable			$56,787.15	
Salaries payable to employees (estimated)			1,000.00	
Outstanding checks (estimated)			1,379.32	
Uncleared membership collection: Alfonso T. Rivas			20.70	
Social Security taxes (estimated)			200.67	
Federal income tax withheld (estimated)			431.25	
Trust deposit: Lawrence Heath			500.00	
Total Liabilities				$60,319.09
Deficit (excess of habilities over assets)				($56,619.44)

We note that this may be a very good example of the way "non-profit" associations may operate to escape not only scrutiny and regulation of their affairs but also certain local, county, state and federal taxes and contributions.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Walter Nagle of Santa Rosa.

On request of the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Guibert, daughter Adele, and former Assemblyman Raymond Blosser of San Francisco.

On request of the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. R. S. Leffler of San Diego.

On request of Mr. Rumford, the usual courtesies of the Assembly for this day were unanimously extended to W. Byron Rumford, Jr., and Miss Carolyn Carrington of Berkeley.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs August Hemenez and the following Cubs of Pack 29, Den 4 of Rodeo: John Granalo, Billy Bennett, Frank Mendes, Jimmy Blazilk, Frank Cardoza, Richard Hemenez, Billy Silva, Frank Gregorich, and Gerald Hemenez.

On request of Mr. Meyers and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs Eugene Dawydiak of San Francisco.

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Paul Mitchell of San Diego.

On request of Mr. Geddes, the usual courtesies of the Assembly for this day were unanimously extended to Robert A. Keagy of Pomona.

On request of Mr. Conrad, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Edith Rahn of Hollywood.

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Will E. Dennis and Alexander Zauri of San Diego.

On request of Mr. McMillan, the usual courtesies of the Assembly for this day were unanimously extended to Clarence Smith and Jimmie Smith of Los Angeles.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to F. A. Klinger, Stephano Fedi, Don Garibaldi, and Joseph C. Fedi of Stockton.

ADJOURNMENT

At 10.57 p.m., on motion of Mr. Hollibaugh, the Speaker declared the Assembly adjourned until 10 a.m., Saturday, June 23, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-EIGHTH LEGISLATIVE DAY

ONE HUNDRED TWENTIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Saturday, June 23, 1951

The Assembly met at 10 a.m.

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

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

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

Quorum present.

PRAYER

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

O God, Who Hast Set the Solitary in Families, Who dost join man to man in friendship, and who dost kindle hearts of nations to draw near to one another, we seek Thine approval upon the accomplishments of this Assembly.

For the opportunities of serving Thee and our Country in the sessions of this Legislature, we give sincere thanks. May the words of our mouths and the meditations of our hearts this very day be acceptable in Thy sight, our Lord and our Redeemer. And e'er we be separated one from the other, even for a time, may the worthy friendships we have made draw us closer one to another and unto Thee.

"Blest be the tie that binds
Our hearts in Christian love;
The fellowship of kindred minds
Is like to that above.
We share our mutual woes,
Our mutual burdens bear,
And often for each other flows
The sympathizing tear.
When we asunder part,
It gives us inward pain;
But we shall still be joined in heart
And hope to meet again."

In Jesus' name.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

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

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Hatfield, Brown, and Mayo as a Committee on Conference concerning:

Assembly Bill No. 2882—An act to add Article 5c (Veterans Bond Act of 1951) to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of state bonds, to create a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943 and acts amendatory and supplemental thereto; defining the powers and duties of said committee and of the Department of Veterans Affairs and other state officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debts or debts, liability or liabilities, as such principal matures; and providing that this act shall take effect upon the adoption by the people of the State of California of an amendment to the Constitution of the State of California approving, adopting, legalizing, ratifying, validating and making fully and completely effective said Veterans Bond Act of 1951.

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

SENATE CHAMBER, SACRAMENTO, June 22, 1951

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

Assembly Bill No. 19
Assembly Bill No. 110
Assembly Bill No. 233
Assembly Bill No. 251
Assembly Bill No. 295
Assembly Bill No. 527
Assembly Bill No. 781
Assembly Bill No. 827
Assembly Bill No. 940
Assembly Bill No. 1056
Assembly Bill No. 1070
Assembly Bill No. 1111
Assembly Bill No. 1258
Assembly Bill No 1477
Assembly Bill No 1695
Assembly Bill No. 1806
Assembly Bill No. 1954
Assembly Bill No. 2464
Assembly Bill No 2727
Assembly Bill No. 2825
Assembly Bill No. 3011
Assembly Constitutional Amendment No. 58

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

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

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

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

Assembly Bill No. 1722
Assembly Bill No. 3193
Assembly Bill No. 3221
Assembly Bill No. 3222

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

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 22, 1951

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

Assembly Concurrent Resolution No. 68
Assembly Concurrent Resolution No. 91
Assembly Concurrent Resolution No. 93
Assembly Concurrent Resolution No. 100
Assembly Joint Resolution No. 39
Assembly Joint Resolution No. 42
Assembly Joint Resolution No. 43

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

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 22, 1951

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

Assembly Bill No. 118
Assembly Bill No. 132
Assembly Bill No 178
Assembly Bill No. 254
Assembly Bill No 359
Assembly Bill No. 426
Assembly Bill No. 723
Assembly Bill No. 842
Assembly Bill No. 1020
Assembly Bill No. 1152
Assembly Bill No. 1193
Assembly Bill No. 1405
Assembly Bill No. 1483
Assembly Bill No. 1486
Assembly Bill No. 1487
Assembly Bill No. 1496
Assembly Bill No. 1541
Assembly Bill No. 1643
Assembly Bill No. 1818
Assembly Bill No. 1879
Assembly Bill No. 1947
Assembly Bill No 2086
Assembly Bill No. 2301
Assembly Bill No. 2545
Assembly Bill No. 3183
Assembly Bill No. 3291
Assembly Bill No. 3300
Assembly Bill No. 3348
Assembly Bill No. 3442
Assembly Bill No. 3452
Assembly Bill No. 3456

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

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 22, 1951

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

Assembly Concurrent Resolution No. 97
Assembly Joint Resolution No 37

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

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 22, 1951

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

Assembly Bill No. 797
Assembly Bill No 853
Assembly Bill No. 951
Assembly Bill No. 1665
Assembly Bill No. 2005

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

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

Above bills ordered to unfinished business file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1639

Mr. Lyon asked for, and was granted unanimous consent to take up Senate Bill No. 1639, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1639

Senate Bill No. 1639—An act to amend Section 7.2 of the Alcoholic Beverage Control Act, relating to license transfers and escrows.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on June 20, 1951, strike out lines 22 to 24, inclusive.

Amendment No. 2

On page 2 of said bill, strike out line 1, and insert

"Establish an escrow holder authorized by the board and also licensed under the Financial Code to so act if such license is required under such code, who is not a party to the".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Senate Bill No. 1639

Mr. Lyon asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Senate Bill No. 1639.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL BE PRINTED IN JOURNAL

Mr. Dunn asked for, and was granted, unanimous consent that the letter of transmittal for the Final Report of the Assembly Interim Committee on Public Education be ordered printed in the Journal, in 10 point type, as follows:

LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE, STATE CAPITOL
SACRAMENTO, CALIFORNIA, June 22, 1951

Hon. Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

DEAR MR. SPEAKER: The Assembly Interim Committee on Public Education, created by House Resolution No. 242, 1949 Regular Session, herewith submits its final report.

The committee has in its files much information in addition to that previously reported which would be of assistance to a future interim committee if such is created.

This report is merely a resume of the activities of the committee. Most of these activities have resulted in legislation presented at the First Extraordinary Session in 1949 and the First and Third Extraordinary Sessions in 1950 and at the 1951 Regular Session. No recommendations are included in this report.

The committee was allocated the sum of $16,000 to finance its activities of which $6,443.19 was unused and will revert to the Assembly Contingent Fund.

Respectfully submitted.

FRANCIS DUNN, JR., Chairman
KATHRYN T. NIEHOUSE, Vice Chairman
ROBERT KIRKWOOD
J. D. BABBAGE
ERNEST R. GEDDES
WM. B. RUMFORD
H. K. LEVERING

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED AS SEPARATE DOCUMENT AND THAT 200 COPIES BE PRINTED

Mr. Dunn asked for, and was granted, unanimous consent that the letter of transmittal and the Report of the Assembly Interim Committee on Public Education be ordered printed as a separate document, and that 200 copies be printed.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

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

Assembly Bill No. 191—An act to amend Sections 2842 and 2828 of the Elections Code, relating to state and county central committees;

Assembly Bill No. 249—An act to amend Sections 64, 67, 70, 75, 79, and 97 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance;

Assembly Bill No. 461—An act to amend Section 737rr of the Political Code, and 79.44 of the the Code of Civil Procedure, relating to superior court judges' salaries;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 9 a.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

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

Assembly Bill No. 592—An act to amend Sections 28123 and 28134 of the Government Code, Sections 423 and 434 of the Education Code, and Section 79.24 of the Code of Civil Procedure, relating to compensation for public services in counties;

Assembly Bill No. 594—An act to amend Section 79.20 of the Code of Civil Procedure, relating to compensation for public service in counties;

Assembly Bill No 751—An act to amend Section 3 of Chapter 973 of the Statutes of 1949, relating to fish;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 9 a m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

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

Assembly Bill No. 954—An act to add Section 1987.5 to the Code of Civil Procedure, relating to subpenas;

Assembly Bill No. 981—An act to amend Sections 4368 and 4702 of the Labor Code, relating to burial expenses for disaster service workers and workmen's compensation death benefits;

Assembly Bill No. 1121—An act to amend Sections 1709, 1713, 3630, 3671, 3800, 4103, 4110, 4113, 4603, 4619, 5204, 6202, 6502, 9304, and 9305 of the Corporations Code; to add thereto Section 3802; to repeal Sections 9003 and 9700 thereof; and to re-entitle Article 5 of Chapter 1, Part 8, Division 1, Title 1 of said code, all relating to corporations;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 9 a.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

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

Assembly Bill No. 1162—An act to amend Section 1203 of the Penal Code, relating to probation;

Assembly Bill No. 1232—An act to add Section 9598 to the Business and Professions Code, relating to the State Board of Dry Cleaners;

Assembly Bill No. 1371—An act providing for the constitution of the municipal court in a district embracing the Cities of Palo Alto and Mountain View, and prescribing the number and compensation of the judges, officers and attaches thereof;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 9 a m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

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

Assembly Bill No. 1389—An act providing for the constitution of the municipal court in a district embracing the City of Salinas, and prescribing the number and compensation of the judges, officers and attaches thereof;

Assembly Bill No. 1390—An act providing for the constitution of the municipal court in a district embracing the Cities of Carmel and Monterey, and prescribing the number and compensation of the judges, officers and attaches thereof;

Assembly Bill No 1530—An act to amend Section 5050 5 of the Welfare and Institutions Code, relating to procedure for examination of the mental health of a person alleged to be mentally ill and to court orders concerning such procedures;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 9 a m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

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

Assembly Bill No. 1582—An act to add Section 7.1 to the Alcoholic Beverage Control Act, relating to issuance of licenses;

Assembly Bill No. 1744—An act to amend Section 667 of the Elections Code, and Section 6580 of the Health and Safety Code, relating to elections;

Assembly Bill No. 1903—An act to amend Sections 2 and 8 of, and to add Section 4.1 to, an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the state and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, as amended, relating to eligible tenants and extending the period of availability of moneys appropriated therefor;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 9 a.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

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

Assembly Bill No. 2140—An act to add Chapter 12 of Part 1 of Division 6 of the Harbors and Navigation Code, creating the San Francisco Harbor Finance Board and prescribing its duties; providing for the issuance and sale of revenue bonds by the Board of State Harbor Commissioners, subject to the approval of the San Francisco Harbor Finance Board as obligations of the Board of State Harbor Commissioners for San Francisco Harbor, payable from the revenues of said Board of State Harbor Commissioners for San Francisco Harbor, and prescribing the duties of state officers in respect to such bonds; defining the duties of said Board of State Harbor Commissioners for San Francisco Harbor, in respect to said bonds and the acquisition of public works from the proceeds thereof; authorizing the creation of a fund for the improvement of San Francisco Harbor by the construction of wharves, piers, sea walls, state railroad, spurs, betterments and appurtenances and necessary dredging and filling in connection therewith; providing for the purposes for which the proceeds of said bonds may be expended; providing for the incidents, security, terms, conditions, maturity, interest, denominations, form, registration, and transfer and interchange of such bonds; providing for the payment of the interest and principal of such bonds, and for their call before maturity and the conditions upon which such calls may be made; providing for the replacement of lost, destroyed, or mutilated bonds or coupons; exempting such bonds from certain taxes, and authorizing the investment of banks, trusts, and public funds in said bonds; providing for the rights and remedies of the holders of such bonds; providing for the issuance of refunding bonds and providing for the creation of designated funds;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 9 a.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

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

Assembly Bill No. 2011—An act to add Chapter 5 7, comprising Sections 2650 to 2694, inclusive, to Division 2 of the Business and Professions Code, relating to the practice of physical therapy, schools of physical therapy, and the licensing of physical therapists, and prescribing penalties for violations hereof;

Assembly Bill No. 2212—An act to add Section 1429.5 to the Penal Code, relating to criminal proceedings;

Assembly Bill No. 2299—An act to amend Section 28117 of the Government Code and Section 79.50 of the Code of Civil Procedure, relating to compensation for public service in counties of the seventeenth class;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 9 a.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

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

Assembly Bill No. 2484—An act to amend Section 80 of the Agricultural Code, relating to district and county agricultural fairs;

Assembly Bill No 2553—An act to amend Sections 4618, 4621, 4622, 4988, 5581, and 5588 of, and to add Sections 4624, 4802, 4803, 4995, 4996, 5565, 5602, 5603, and 6655 to, the Health and Safety Code, relating to the powers and bonds of county sanitation and other sewer districts, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2870—An act to add Sections 258.1 and 259.1 to the Vehicle Code, relating to operators of school busses and temporary issuance of chauffeurs' licenses therefor, and declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 9 a.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

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

Assembly Bill No. 2931—An act to add Section 1157.1 to the Government Code, relating to public agencies;

Assembly Bill No. 3188—An act to amend Section 4714 and to repeal Section 4965 of the Education Code, relating to unified school districts;

Assembly Bill No. 3321—An act to amend Section 6b of the Municipal Court Act of 1925 and to amend Section 274 of the Code of Civil Procedure, relating to municipal courts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 9 a.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3422—An act to amend Sections 14116, 14123, 14136, 14137, 14138, and 14142 of the Education Code, relating to the merit system for noncertificated school employees;

Assembly Bill No. 3450—An act to add Section 261a.8 to the Code of Civil Procedure, relating to phonographic reporters and fees payable to county clerks in connection with court proceedings;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 9 a.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 40—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 16 to Article XVI thereof, relating to the issuance of bonds to provide farm and home aid for veterans;

Assembly Constitutional Amendment No. 55—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article XIII thereof a new section to be numbered 19, relating to the proceeds of taxes levied on property in a redevelopment project under the Community Redevelopment Act;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-third day of June, 1951, at 9 a m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

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

Assembly Joint Resolution No. 40—Relative to the application of the Sherman Anti-Trust Act and the Miller-Tydings Act as applied to State Fair Trade Laws;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-third day of June, 1951, at 9 a.m.

GRUNSKY, Vice Chairman

CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1715—An act to add Section 58.1 to the Unemployment Insurance Act, relating to disqualification for benefits.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1715?

Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Assembly on May 23, 1951, after "family" insert "; and provided further, that notwithstanding any other provision of this act this section shall apply only to claims for unemployment compensation benefits and shall not apply to claims for unemployment compensation disability benefits."

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Levering moved a call of the Assembly.

Motion carried. Time, 10.18 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Brady, Brown, Cloyed, George D. Collins, Dickey, Dills, Evans, Hagen, Hawkins, Hollibaugh, Kilpatrick, and Lanterman—13.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

Speaker Pro Tempore Presiding

At 10.20 a.m. Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Smith asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

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

Assembly Bill No. 850—An act to amend Section 10375 of the Health and Safety Code, relating to registration of births, deaths, and marriages.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 850?

Amendment No. 1

On page 2, line 5, of the printed bill, as amended in the Assembly on June 7, 1951, after "embalmer", insert "if body embalmed".

Amendment No. 2

On page 2, line 8, of said bill, as amended, strike out the semicolon and insert a period and

"(b)".

Amendment No. 3

On page 2, line 10, of said bill, as amended, strike out "(b)", and insert "(c)"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 850 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Henderson, Hinckley, Holibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, and Waters—61.

NOES—None.

Assembly Bill No. 850 ordered enrolled.

Assembly Bill No. 1017—An act to repeal Articles 4 and 6 of Chapter 3, Part 2, Division 3, Title 2 of the Government Code, and to add a new Article 6 to said chapter, relating to the State Archives and the State Record Depository.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1017?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 26, 1951, after "to", strike out the balance of line 1, and all of lines 2, 3, and 4, and insert "amend Section 13607 of the Government Code, relating to distribution and sale of the State Blue Book."

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

Amendment No. 2

On page 1 of said bill, as amended, after "Section 1.", strike out the balance of the page, and all of pages 2, 3, 4, and 5, and insert

"13607. Same: Distribution and Sale The volumes shall be distributed as follows. To the Secretary and each Member of the Senate and to the Chief Clerk and each Member of the Assembly, 10 copies; to the Governor, 25 copies; to the *Lieutenant Governor, 15 copies;* to the Secretary of State, the Controller, the Attorney General and the Treasurer, each [5] *10* copies; to the director of each state department, 2 copies; to the State Library, 50 copies.

All other volumes shall be sold for such price as may be fixed by the department."

Amendment No. 3

On page 1 of the printed bill, as amended in the Senate on May 28, 1951, strike out line 1, and insert

"SECTION 1. Section 13607 of the Government Code is amended to read:".

Amendment No. 4

On page 5, line 8, of said bill, as amended, strike out "Same Distribution and Sale."

Amendment No. 5

On page 5, line 14, of said bill, as amended, after the semicolon, insert "to the two United States Senators from California and the members of the California Congressional Delegation, each 1 copy; to the Chief Justice and Associate Justices, each 1 copy; to the Presiding Justices and Justices of the District Court of Appeals, each 1 copy;"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1017 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, and Waters—61.

NOES—None.

Assembly Bill No. 1017 ordered enrolled.

Assembly Bill No. 1669—An act to add Chapter 12 (comprising Sections 28700 to 28724, inclusive) to Division 21 of the Health and Safety Code, relating to the regulation of the premises and operations of plants for the preparation and storage of frozen foods, and the licensing of the personnel thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1669?

Amendment No. 1

On page 1, line 16, of the printed bill, as amended in the Assembly on April 19, 1951, after "space in", insert "such".

Amendment No. 2

On page 2, line 19, of said bill, as amended, after "maintaining a", insert "frozen food".

Amendment No. 3

On page 2 of said bill, as amended, strike out lines 30 to 37, inclusive, and insert "plant shall be fifteen dollars ($15) for plants with 399 lockers or less; twenty dollars ($20) for plants with 400 to 799 lockers; twenty-five dollars ($25) for plants with 800 to 1199 lockers, and thirty dollars ($30) for plants with 1200 or more lockers, and such fees shall be paid into the General Fund."

Amendment No. 4

On page 4, line 29, of said bill, as amended, after "Existing", insert "frozen food".

Amendment No. 5

On page 5 of said bill, as amended, strike out lines 45 to 47, inclusive.

Amendment No. 6

On page 6 of said bill, as amended, after line 5, insert

"SEC. 4. The sum of eighteen thousand two hundred sixty dollars ($18,260) is hereby appropriated out of the General Fund in the State Treasury in augmentation of Item 231 of the Budget Act of 1951 to be expended by the Department of Public Health during the 1951-52 Fiscal Year in carrying out the provisions of this act."

Amendment No. 7

In line 1 of the title of the printed bill, as amended, in the Senate on May 31, 1951, strike out "28724", and insert "28725"

Amendment No. 8

In line 5 of the title of said bill, as amended, after "thereof", insert ", and making an appropriation therefor".

Amendment No. 9

On page 1, line 2, of said bill, as amended, strike out "28724", and insert "28725".

Amendment No. 10

On page 2, line 35, of said bill, as amended, after "be", insert "Five Dollars ($5) for plants with 100 lockers or less; ten dollars ($10) for plants with 101 to 200 lockers;".

Amendment No. 11

On page 2, line 36, of said bill, as amended, after "with", strike out "399 lockers or less", and insert "201 lockers to 399 lockers".

Amendment No. 12

On page 5 of said bill, as amended, between lines 40 and 41, insert

"28725. This act shall be known as the "Frozen Food Locker Plant Act of 1951." "

Amendment No. 13

On page 6 of said bill, as amended, strike out lines 1 and 2.

Amendment No. 14

On page 6, line 3, of said bill, as amended, strike out "4", and insert "3".

Amendment No. 15

On page 2 of the printed bill, as amended in the Senate on June 13, 1951, strike out lines 34 to 40, inclusive, and insert "plant shall be ten dollars ($10) for plants with 200 lockers or less; twenty-five dollars ($25) for plants with 201 to 500 lockers; thirty-five dollars ($35) for plants with 501 to 750 lockers; forty dollars ($40) for plants with 751 to 1,000 lockers; and fifty dollars ($50) for plants with 1,001 or more lockers Such fees shall be paid into the General Fund"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1669 by the following vote:

AYES—Babbage, Beck, Berry, Burke, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Smith, Stewart, Thomas, Tomlinson, and Waters—58

NOES—None

Assembly Bill No. 1669 ordered enrolled.

Assembly Bill No. 2261—An act to amend Sections 44 and 45.5 of, to the Unemployment Insurance Act, relating to unemployment insurance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2261?

Amendment No. 1

On page 4 of the printed bill, as amended in the Assembly on May 15, 1951, in line 3, after "that", insert ", except in case of fraud.".

Amendment No. 2

On page 4, line 7, of said bill, as amended, strike out "or"; and strike out all of lines 8 and 9, and insert a period.

Amendment No. 3

On page 5 of said bill, as amended, after line 12, insert

"SEC. 4 The amendment to Section 44 of the Unemployment Insurance Act made by this act shall not be construed as changing or affecting the services included within or excluded from the definition of employment as contained in the Unemployment Insurance Act nor as affecting the benefit rights of any individual under that act."

Amendment No. 4

In line 1 of the title of the printed bill, as amended in the Senate on June 15, 1951, after "of", insert ", and to add Section 45 13".

Amendment No. 5

On page 5 of said bill, as amended, before line 1, insert

"SEC 4. Section 45.13 is added to said code, to read:

45 13. Whenever it is established to the satisfaction of the appeals board that individuals performing services in unloading farm products in a "market" as defined in Chapter 150, Statutes of 1947, and required to register as "registered unloaders" under said act, have attempted to evade said act by refusing to so register or by giving false names or social security numbers or by preventing the persons for whom the services are performed from making the deductions from their wages authorized by this act, the appeals board shall direct the department to cancel any assessment levied against such person for whom the services were performed which is based upon wages paid for such services. Upon such direction by the appeals board such assessment, including both employer and wage earner contributions, shall be canceled."

Amendment No. 6

On page 5, line 1, of said bill, as amended, strike out "SEC. 4.", and insert "SEC. 5."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2261 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Waters—66.

NOES—Davis and Henderson—2.

Assembly Bill No. 2261 ordered enrolled.

Assembly Bill No. 2456—An act to repeal Section 1142, to amend Section 1143(a) and to add Sections 1142, 1142.1, 1142.2, 1142.3, and 1142.4 to the Agricultural Code, relating to processing of eggs and egg products, eggs shipped into California both from within the United States and from outside the United States; also relating to the inspection and certificates of egg products shipped into California.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2456?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 3, 1951, strike out "1143(a)", and insert "1143a".

Amendment No. 2

On page 3, line 22, of said bill, as amended, strike out "(3)", and insert "(2)".

Amendment No. 3

On page 3, line 35, of said bill, as amended, strike out "(a)".

Amendment No. 4

On page 3, line 42, of said bill, as amended, strike out "1143(a)", and insert "1143a".

Amendment No. 5

On page 3, line 43, of said bill, as amended, strike out "1143(a)", and insert "1143a."

Amendment No. 6

On page 2, line 5, of said bill, as amended, after "rooms", insert "or areas".

Amendment No. 7

On page 2, line 37, of said bill, as amended, strike out "room", and insert "area".

Amendment No. 8

On page 3, line 1, of said bill, as amended, after "Sterilizing", insert "Area".

Amendment No. 9

In line 7 of the title of the printed bill, as amended in the Senate on May 17, 1951, after "California", insert "and making an appropriation".

Amendment No. 10

On page 1 of said bill, as amended, strike out lines 9 and 10, and insert "The provisions of this section shall not apply to salvage operations that are incidental to any candling process, or to any bakery or restaurant, or employee thereof, in which eggs are broken for immediate use upon the premises."

Amendment No. 11

On page 1, line 13, of said bill, as amended, strike out "to each plant so engaged an annual license".

Amendment No. 12

On page 1, line 14, of said bill, as amended, strike out "on the receipt of one hundred dollars ($100)", and insert "a separate annual license for each plant so engaged on the receipt of one hundred dollars ($100) for each such license".

Amendment No. 13

On page 1 of said bill, as amended, after line 16, insert

"Annual license fees payable under this section shall become due and payable by each person approved by the Department of Public Health on or before January 1st in each year. Such fees shall be paid by the department into the General Fund in the State Treasury. It is the intention of the Legislature that the costs of administering this act shall be substantially covered by the revenues collected hereunder."

Amendment No. 14

On page 2, line 45, of said bill, as amended, strike out "(3)", and insert "(c)".

Amendment No. 15

On page 3, line 24, of said bill, as amended, strike out "Board", and insert "Department".

Amendment No. 16

On page 3, line 36, of said bill, as amended, strike out "old", and insert "cold".

Amendment No. 17

On page 3 of said bill, as amended, after line 44, insert

"SEC 8 The sum of five thousand eight hundred forty-two dollars ($5,842) is hereby appropriated from the General Fund in the State Treasury in augmentation of Item 231 of the Budget Act of 1951, to be expended by the Department of Public Health in administration and enforcement of this act."

Amendment No. 18

On page 1, lines 11 and 12, of the printed bill, as amended in the Senate on June 1, 1951, strike out "to salvage operations that are incidental to any candling process, or".

Amendment No. 19

On page 3, line 50, of said bill, as amended, strike out "not stored in bond", and insert "for sale or distribution in California".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2456 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—63.

NOES—None.

Assembly Bill No. 2456 ordered enrolled.

Assembly Bill No. 2626—An act to amend Section 736b of the Political Code and Section 79 of the Code of Civil Procedure, relating to judges of the superior court.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2626?

Amendment No. 1

On page 1, line 13, of the printed bill, as amended in the Assembly on April 12, 1951, after "($1,750)", insert ", which annual salary shall be not less than ten thousand five hundred dollars ($10,500). If the total of the sums payable by the State and by the county or city and county under this section exceeds the minimum annual salary payable to a judge, his salary shall be increased in the amount of the excess".

Amendment No. 2

On page 1, lines 17 and 18, of said bill, as amended, strike out "shall be the amount fixed by this chapter", and insert "of California shall be such as has been or may be fixed by the Legislature".

Amendment No. 3

On page 1, line 18, of said bill, as amended, after "pay", insert "the sum of".

Amendment No. 4

On page 1, line 20, of said bill, as amended, after "remainder", insert "thereof".

Amendment No. 5

On page 1, line 22, of said bill, as amended, after the period, insert "The minimum annual salary of each judge of the superior court is the amount prescribed therefor as of January 1, 1951, plus the sum of one thousand seven hundred fifty dollars ($1,750), which annual salary shall be not less than ten thousand five hundred dollars ($10,500). If the total of the sums payable by the State and by the county or city and county under this section exceeds the minimum annual salary payable to a judge, the salary shall be increased in the amount of the excess."

Amendment No. 6

On page 2 of said bill, as amended, strike out lines 1 to 5, inclusive.

Amendment No. 7

On page 1, line 13, of the printed bill, as amended in the Senate on May 21, 1951, strike out "five hundred dollars ($10,500)", and insert "dollars ($10,000)".

Amendment No. 8

On page 2, lines 8 and 9, of said bill, as amended, strike out "five hundred dollars ($10,500)", and insert "dollars ($10,000)".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2626 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thomas, Tomlinson, and Waters—57.

NOES—None.

Assembly Bill No. 2626 ordered enrolled.

Assembly Bill No. 3254—An act to add Section 48.5 to the Fish and Game Code, relating to access to public hunting and fishing grounds.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3254?

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on May 17, 1951, strike out "commission", and insert "department".

Amendment No. 2

On page 1, line 10, of said bill, as amended, strike out "commission", and insert "department".

Amendment No. 3

On page 1, line 14, of said bill, as amended, strike out "commission", and insert "department".

Amendment No. 4

On page 1 of the printed bill, as amended in the Senate on May 31, 1951, after line 14, insert

"Nothing in this section shall limit the powers of the Wildlife Conservation Board or the State Public Works Board under the Wildlife Conservation Act of 1947."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3254 by the following vote

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen,

Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, and Waters—60.

NOES—None.

Assembly Bill No. 3254 ordered enrolled

Assembly Bill No. 382—An act to amend Section 1038 and to repeal Section 1039 of the Fish and Game Code, relating to fish.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 382?

Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Assembly on May 31, 1951, strike out "commission", and insert "department".

Amendment No. 2

On page 1, line 16, of said bill, as amended, strike out "commission", and insert "department".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 382 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—60

NOES—None.

Assembly Bill No. 382 ordered enrolled.

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

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 248?

Amendment No. 1

On page 2, line 46, of the printed bill, as amended in the Assembly on May 4, 1951, after "purposes", insert "for the repair or restoration of roads and bridges".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No 248 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—61.

NOES—None.

Assembly Bill No. 248 ordered enrolled.

ANNOUNCEMENT

Speaker pro Tempore Maloney announced that the Committee on Rules is desirous of knowing how many Members of the Assembly will be remaining in Sacramento for a few days after the adjournment of the session for the purpose of determining the number of post session secretaries that will be needed.

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON MOTION

Mr. Waters asked for, and was granted, unanimous consent to expunge the record, and rescind the motion in the Journal relative to the motion that copies of bills are to be distributed to members prior to the consideration of any measure.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

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

Senate Concurrent Resolution No 94
Senate Concurrent Resolution No. 99

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

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

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

House Resolution No. 239
House Resolution No. 251
House Resolution No. 256

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

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file for adoption.

RESOLUTIONS

The following resolutions were offered:

By Mr. Kirkwood:

House Resolution No. 259

Resolved by the Assembly of the State of California, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the sum of nineteen hundred seventy-five dollars ($1,975), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail; and be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding nineteen hundred seventy-five dollars ($1,975) in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail; and be it further

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

Request for Unanimous Consent

Mr. Kirkwood asked for, and was granted, unanimous consent to take up House Resolution No. 259, at this time, without reference to committee or file.

Resolution read.

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

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dunn, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Waters—61.

NOES—None.

By Mr. Silliman:

House Resolution No. 260

Resolved by the Assembly of the State of California, That each and every person heretofore employed by the Assembly is hereby stricken from the list of Assembly attaches, and the names stricken from the pay roll of the Assembly, to take effect upon the completion of work on Saturday, June 23, 1951, save and except Arthur A. Ohnimus, Chief Clerk, and those who are certified to the Controller by the Chief Clerk.

Request for Unanimous Consent

Mr. Silliman asked for, and was granted, unanimous consent to take up House Resolution No. 260, at this time, without reference to committee or file.

Resolution read, and adopted.

By Mr. Dickey:

House Resolution No. 261

Resolved, That Arthur A. Ohnimus, Chief Clerk, be and he is hereby authorized and empowered to receipt for any warrants that may be due members, officers, or other attaches of the Assembly, after the close of the session, or that may be drawn upon the Contingent Fund of the Assembly.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No 261, at this time, without reference to committee or file.

Resolution read, and adopted.

COMMUNICATIONS

By Speaker Sam L. Collins:

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

SANTA BARBARA, CALIFORNIA, June 22, 1951

Honorable Members of the California State Assembly in Session
State Capitol Bldg., Sacramento, California

The California State Aerie, Fraternal Order of Eagles, now in session in Santa Barbara with 1,000 delegates, representing 194 lodges with a membership of over 125,000 extend best wishes to you. The interest and cooperation of each Member of the California State Assembly in the activities of the Fraternal Order of Eagles is fully appreciated by the California State Aerie.

EDDIE E. JOHNSTON, State President
Fraternal Order of Eagles

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

Assembly Bill No. 1235—An act to amend Sections 8514 and 8522 of the Business and Professions Code, relating to structural pest control.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1235?

Amendment No. 1

In the title of the printed bill, as amended in the Assembly on May 11, 1951, in line 1, strike out "Sections 8514 and 8522", and insert "Section 8514".

Amendment No. 2

On page 2 of said bill, as amended, strike out lines 11 to 26, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1235 by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dunn, Elliott, Fleury, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Waters—60.
NOES—None.

Assembly Bill No. 1235 ordered enrolled.

Assembly Bill No. 1071—An act to amend Section 50¾ of, and to add Section 52.1 to, the Public Utilities Act, and to amend Section 1066 of, and to add Section 816.5 to, the Public Utilities Code, relating to public utilities.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1071?

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Assembly on May 23, 1951, strike out "Section", and insert "Sections 706, 707, 708, and".

Amendment No. 2

On page 5 of said bill, as amended, between lines 13 and 14, insert

"SEC. 6. Section 706 is added to the Public Utilities Code, to read

706. Any corporation organized under the laws of this State or any corporation duly qualified to do business within this State, for the purpose of furnishing electric service on a nonprofit, cooperative basis, primarily to its members or stockholders, shall be exempt in all respects from the jurisdiction and control of the Public Utilities Commission and shall not be subject to this part, except as and only to the extent provided in Sections 707 and 708.

SEC. 7. Section 707 is added to said code, to read:

707. No public utility, or nonprofit cooperative corporation operating electric facilities shall furnish or offer to furnish electric service to any premises which are already receiving such service from another supplier, or which had previously received such service from another supplier willing to resume the furnishing of such service, without first obtaining the consent in writing of such other supplier. The commission, upon proper complaint, shall by appropriate order prohibit the furnishing of or offer to furnish such service.

SEC. 8. Section 708 is added to said code, to read:

708. Whenever a nonprofit, cooperative corporation, organized for the purpose of furnishing electric service, or a group of persons which has formed a temporary organization with the intention of forming such a corporation, or any corporation duly qualified to transact such business in this State on a nonprofit, cooperative basis (each herein called the "filing corporation"), shall file with the commission a map or maps indicating the area or areas in which the operation of the filing corporation are intended to be conducted, together with a statement verified by oath or affirmation to the effect that a majority of the potential users of electric service, not then receiving

adequate electric service in said area or areas, have signified in writing their willingness to take service from the proposed system of the filing corporation, it shall be unlawful for an electrical corporation, after receipt of any notice as hereafter provided of the filing of said map or maps and statement, to begin the construction of any electric lines or facilities, as the case may be, within said area or areas or to solicit customers for electric service therein, as the case may be, or in any manner to conflict, interfere or compete with the proposed system of the filing corporation, until after the expiration of one year from the date of said filing of said map or maps and statement The words "area" or "areas" as used herein in connection with the maps to be filed by the filing corporation shall be deemed to mean the areas which may be served in normal practice by the electric lines or facilities indicated in said maps, which in any event shall not be less than a distance of 1,500 feet from either side of said electric lines."

Demand for Previous Question

Messrs. Luckel, Collier, Hansen, Henderson, and Burke demanded the previous question.

Demand for previous question sustained.

The question being on the concurrence in Senate amendments to Assembly Bill No. 1071.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Davis moved a call of the Assembly.

Motion carried. Time, 11.30 a m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brown, Clarke, Sam L. Collins, Erwin, Grunsky, Hinckley, Kilpatrick, Lincoln, Porter, Stanley, and Waters—11.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dunn asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 108: By Messrs. George D. Collins, Henderson, Burkhalter, Condon, Cooke, Elliott, Hawkins, Kilpatrick, McFall, Meyers, Parker, Rosenthal, and Thomas—Relative to needy disabled persons, and requesting the Governor to call an extraordinary session thereon.

Referred to Committee on Rules

MOTION THAT LEGISLATIVE COUNSEL BE AUTHORIZED AND INSTRUCTED TO CORRECT REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1967

Mr. Hawkins moved that the Legislative Counsel be authorized and instructed to correct the report of the Committee on Conference concerning Assembly Bill No. 1967, now pending, contingent upon the Senate taking similar action.

Mr. Elliott seconded the motion.

Motion carried unanimously.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF GOVERNOR'S VETOES

Assembly Bill No. 2665—An act to amend Section 5699 of the Elections Code, relating to casting of ballots.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 2665 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Chapel—1.

NOES—Babbage, Beck, Belotti, Berry, Brady, Burke, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Tomlinson—62.

Assembly Bill No. 2453—An act to amend Section 1295 of the Penal Code, relating to bail and deposits instead of bail.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 2453 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Lincoln, McCollister, Morris, Porter, and Thomas—5.

NOES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—60.

Assembly Bill No. 908—An act to amend Section 3 of, and to add Sections 3.5 and 30.02 to the Public Utility District Act, relating to public utility districts.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 908 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Dolwig, Levering, Lyon, and Thomas—4.

NOES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Waters—57.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3443

Mr. Kilpatrick asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 3443, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3443—An act to amend Section 5501 of the Welfare and Institutions Code, relating to the commitment of sexual psychopaths, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3443?

Amendment No. 1

In lines 3 and 4 of the title of the printed bill, as amended in the Assembly on June 8, 1951, strike out ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 6 and 7, and insert "offense,".

Amendment No. 3

On page 1, line 8, of said bill, as amended, strike out "thereby,".

Amendment No. 4

On page 1 of said bill, as amended, between lines 16 and 17, insert

"Conviction upon a charge of violation of Section 290 of the Penal Code by failure to register as required thereby is conviction of a criminal offense within the meaning of this subdivision."

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 3443 by the following vote:

AYES—Crowley and Smith—2

NOES—Babbage, Beck, Belotti, Berry, Brady, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Waters—57.

Appointment of Committee on Conference Concerning Assembly Bill No. 3443

The Speaker announced the appointment of Messrs. Smith, Kilpatrick, and Burke as a Committee on Conference concerning Assembly Bill No. 3443.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 621

Mr. Kilpatrick asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 621, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 621—An act to repeal Section 144 and to amend Section 1558 of the Penal Code, relating to the return of fugitives from justice.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 621?

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "the last section", and insert "Section 1557".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 621 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Moss, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Thomas—61.
NOES—None.

Assembly Bill No. 621 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 797

Mr. Babbage asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 797, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 797—An act making an appropriation for the construction of a vocational training building at the proposed State School for the Deaf, Southern California.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 797?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on June 15, 1951, after line 10, insert

"The amount herein appropriated shall be transferred to the Capital Outlay and Savings Fund and the permanent improvements shall be deferred and no expenditures made thereon until or unless authorized by subsequent enactment."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 797 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, and Thomas—63.
NOES—Doyle—1.

Assembly Bill No. 797 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1188

Mr. Brown asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1188, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1188—An act to provide for notification of release from custody of persons convicted of arson.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1188?

Amendment No. 1

On page 1, line 16, of the printed bill, as amended in the Assembly on April 5, 1951, strike out "and prior to the release date specified in the notice".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1188 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Conrad, Cooke, Crowley, Dills, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, and Thomas—61.
NOES—None.

Assembly Bill No. 1188 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1665

Mrs. Niehouse asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1665, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1665—An act to provide for the acquisition of Buena Vista Lagoon Wild Fowl Refuge by the State and making an appropriation therefor.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1665?

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on May 21, 1951, strike out "Department of Fish and Game", and insert "Division of Beaches and Parks".

Amendment No. 2

On page 2 of said bill, as amended, strike out lines 13 and 14, and insert "appropriated, out of the money heretofore appropriated and made available for the acquisition of ocean beaches, tidewater bays and inlets by Chapter 1522 of the Statutes of 1945, to the Division of Beaches and Parks in the Department of Natural Resources to be expended without".

Amendment No. 3

On page 2 of said bill, as amended, after line 15, insert

"Notwithstanding any other provision of law, the entire cost of acquiring Buena Vista Lagoon may be paid from this appropriation without requiring the contribution of matching amounts in money, property or lands from private or other sources."

Amendment No. 4

On page 2, line 12, of the printed bill, as amended in the Senate on June 20, 1951, strike out "1522", and insert "1422".

Amendment No. 5

On page 2, line 15, of said bill, as amended, strike out "Notwithstanding any", and strike out all of lines 16 to 19, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1665 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, and Thomas—59.
NOES—None.

Assembly Bill No. 1665 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 19

Mr. Erwin asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 19, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 19—An act to amend Section 19627 of the Business and Professions Code, relating to the state revenue derived from horse racing licenses.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 19?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 15, 1951, strike out "amend Section 19627 of", and insert "add Section 19627.3 to".

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 1 and 2, and insert

"SECTION 1. Section 19627.3 is added to the Business and Professions Code, to read:".

Amendment No. 3

On page 1, line 3, of said bill, as amended, strike out "19627", and insert "19627.3".

Amendment No. 4

On page 1, line 4, of said bill, as amended, after "Fund", insert "the Wildlife Restoration Fund or the State College Fund".

Amendment No. 5

On page 1, line 5, of said bill, as amended, strike out "each fiscal year", and insert "the 1951-52 Fiscal Year and in each of the two fiscal years immediately thereafter".

Amendment No. 6

On page 1, line 11, of said bill, as amended, after "Treasury.", insert "The amounts herein appropriated shall be transferred to the Capital Outlay and Savings Fund and the permanent improvements shall be deferred and no expenditures made thereon until or unless authorized by subsequent enactment."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 19 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Cloyed, Coats, George D. Collins, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, and Stewart—62.

NOES—None

Assembly Bill No. 19 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 781

Mr. Babbage asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 781, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 781—An act to amend Section 737gg of the Political Code, and to amend Section 79.33 of the Code of Civil Procedure, relating to superior judges' salaries.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 781?

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on May 30, 1951, strike out "737gg of the Political Code, and to amend Section".

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 1 to 7, inclusive, and insert "SECTION 1. Section 79.33 of the Code of Civil Procedure is".

Amendment No. 3

On page 1, line 11, of said bill, as amended, strike out "twelve thousand five hundred dollars ($12,500)", and insert "thirteen thousand five hundred dollars ($13,500)".

Amendment No. 4

On page 1 of said bill, as amended, strike out lines 12 to 15, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 781 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, and Thomas—59.

NOES—None.

Assembly Bill No. 781 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

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

Assembly Bill No. 1142
Assembly Bill No. 1969
Assembly Bill No. 2043
Assembly Concurrent Resolution No. 98
Assembly Joint Resolution No 45
Assembly Bill No. 2075
Assembly Bill No. 2355
Assembly Bill No. 3433

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

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

Above bills ordered to unfinished business file.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1477

Mr. Babbage asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1477, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1477—An act providing for the constitution of municipal courts in districts in Riverside County, and prescribing the number and compensation of the judges, officers and attaches thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1477?

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, as amended in the Assembly on May 1, 1951, strike out "two hundred forty dollars ($240)", and insert "three hundred dollars ($300)".

Amendment No. 2

On page 2, line 16, of the printed bill, as amended in the Senate on May 23, 1951, after "1949", insert "and persons previously employed in public service within the county who are appointed to such positions upon the organization of the court,".

Amendment No. 3

On page 2, line 17, of said bill, as amended, after "courts", insert ", in such previous public service within the county,".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1477 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloved, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, and Thomas—65.
NOES—None.

Assembly Bill No. 1477 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1142

Mr. Connolly asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1142, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1142—An act to add Section 674.5 to the Agricultural Code, relating to standards and labeling for milk and milk products containing other foods.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1142?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on June 12, 1951, following line 15, insert

"The provisions of this section shall be in effect until the ninety-first day after adjournment of the 1953 Legislature."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1142 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloved, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon,

Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stewart, Thomas, and Mr Speaker—65.

NOES—None.

Assembly Bill No. 1142 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2355

Mr. Shaw asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2355, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2355—An act to add Section 635.1 and to amend Sections 735.3 and 736.11 of the Agricultural Code, relating to milk and dairy products.

The question being: Shall the Assembly concur in Senate amendments to Assembly Bill No. 2355?

Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Assembly on May 31, 1951, after "milk", insert "derived from market milk".

Amendment No. 2

On page 4, line 10, of said bill, as amended, strike out the period, and insert "; provided, however, the director shall not be required to establish such minimum wholesale prices in those marketing areas wherein he finds, after public hearing held pursuant to this article, that conditions of transportation, production, and distribution are such that the establishment thereof will cause disparity in prices to exist between two or more marketing areas."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2355 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Landsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stewart, Thomas, and Mr Speaker—62.

NOES—None.

Assembly Bill No. 2355 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1056

Mr. Moss asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1056, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1056—An act to amend Sections 11020 and 11021 of the Government Code, relating to operation of state offices.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1056?

Amendment No. 1

On page 1, lines 11 and 12, of the printed bill, as amended in the Assembly on May 21, 1951, strike out ", except the State Compensation Insurance Fund,".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1056 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stewart, Thomas, and Mr. Speaker—62.
NOES—None.

Assembly Bill No. 1056 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1954

Mr. Moss asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1954, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1954—An act to amend Sections 9801, 9802, 9807, 9807.1, 9807.2, 9808, 5153.5, 7102.1, and 7104 of, and to add Sections 9801.1, 9801.2, 7102.2, and 7104.1 to, the Education Code, relating to mentally retarded minors.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1954?

Amendment No. 1

On page 3, line 35, of the printed bill, as amended in the Assembly on May 24, 1951, strike out "(a)".

Amendment No. 2

On page 3, line 38, of said bill, as amended, strike out "and 7104", and insert ", 7102.2, 7104, and 7104.1".

Amendment No. 3

On page 3, lines 45 and 46, of said bill, as amended, strike out "one hundred dollars ($100)", and insert "one hundred fifty dollars ($150)".

Amendment No. 4

On page 4, line 10, of said bill, as amended, strike out "one hundred dollars ($100)", and insert "one hundred fifty dollars ($150)".

Amendment No. 5

On page 4 of said bill, as amended, after line 19, insert

"SEC 14. Sections 9, 10, 11, 12, and 13 of this act shall not take effect until July 1, 1952"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1954 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stewart, Thomas, and Mr. Speaker—62.
NOES—None.

Assembly Bill No. 1954 ordered enrolled.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1715

At 12 m., on motion of Mr. Levering, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1715 by the following vote:

AYES—Babbage, Belotti, Brady, Burke, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Dolwig, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McGee, Morris, Porter, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—43.

NOES—Beck, Berry, Burkhalter, Chapel, Coats, George D. Collins, Condon, Crowley, Davis, Doyle, Dunn, Elliott, Gaffney, Hagen, Hawkins, Henderson, Hollibaugh, Kilpatrick, Lincoln, Lowrey, Maloney, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, and Thomas—32.

Assembly Bill No. 1715 ordered enrolled.

Speaker Presiding

At 12.07 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

ANNOUNCEMENT

Mr. Beck announced that a picture of the Democratic members will be taken in the Lounge Room, upon recess, and urged prompt attendance at this gathering.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 58

Mr. Hawkins asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Constitutional Amendment No. 58, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Constitutional Amendment No. 58—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 22 of Article IV thereof, relating to public money.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 58?

Amendment No. 1

On page 1, line 18, of the printed measure, as amended in the Assembly on June 1, 1951, strike out "or operation".

Amendment No. 2

On page 1, line 25, of said measure, as amended, strike out "and operation".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Constitutional Amendment No. 58 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers,

Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—68.
NOES—None.

Assembly Constitutional Amendment No. 58 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 110

Mr. Lindsay asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 110, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

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

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 110?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "448", and insert "452".

Amendment No. 2

In line 3 of the title of said bill, strike out "forty-eighth", and insert "fifty-second".

Amendment No. 3

On page 1, line 1, of said bill, strike out "448", and insert "452".

Amendment No. 4

On page 1, line 3, of said bill, strike out "448", and insert "452".

Amendment No. 5

On page 1, lines 4 and 5, of said bill, strike out "forty-eighth class is four thousand eight hundred dollars ($4,800)", and insert "fifty-second class is six thousand dollars ($6,000)".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 110 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.
NOES—None.

Assembly Bill No. 110 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1070

Mr. Lindsay asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1070, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

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

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1070?

Amendment No. 1

On page 1, line 9, of the printed bill, after "until", insert "either".

Amendment No. 2

On page 1, line 12, of said bill, after "hearing", insert "or the dam for impounding water in the reservoir has been approved by the department pursuant to Chapter 5 of Part 1 of Division 3 of this code".

Amendment No. 3

On page 1, line 9, of the printed bill, as amended in the Senate on June 8, 1951, strike out "either".

Amendment No. 4

On page 1, line 12, of said bill, as amended, strike out "or the dam for"; and strike out all of lines 13 to 15, inclusive, and insert a period.

Amendment No. 5

In line 1 of the title of the printed bill, as amended in the Senate on June 19, 1951, strike out "Section 1383", and insert "Sections 1383 and 10505.1".

Amendment No. 6

On page 1, line 9, of said bill, as amended, after "until", insert "either".

Amendment No. 7

On page 1, line 12, of said bill, as amended, after "hearing", insert "or the dam for impounding water in the reservoir has been approved by the department pursuant to Chapter 5 of Part 1 of Division 3 of this code

SEC. 2. Section 10505.1 is added to the Water Code, to read:

10505.1. Before releasing any priority or assigning any appropriation under this part the Department of Finance shall hold a public hearing thereon and shall give notice of such hearing at least 60 days before the date thereof as follows:

(1) By mail to the county clerk of each county in which the appropriated water originates;

(2) By publication at least twice with an interval of at least six days between the first and last publication in a newspaper or newspapers of general circulation in each county in which the appropriated water originates".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1070 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—74.

NOES—None.

Assembly Bill No. 1070 ordered enrolled.

PERMISSION TO INTRODUCE ASSEMBLY CONCURRENT RESOLUTION GRANTED

Pursuant to the provisions of Rule No. 23, permission from the Speaker having been given, the roll was called, and permission granted Mr. Kirkwood to introduce an Assembly concurrent resolution by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74.

NOES—None.

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

The following resolution was offered:

Assembly Concurrent Resolution No. 109: By Mr. Kirkwood—Relative to investigation of tax equalization by interim investigating committees and State Board of Equalization.

Request for Unanimous Consent

Mr. Kirkwood asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 109, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 109

Assembly Concurrent Resolution No. 109: By Mr. Kirkwood—Relative to investigation of tax equalization by interim investigating committees and State Board of Equalization.

Resolution read.

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

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

NOES—None.

Resolution ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1071

At 12.18 p.m., on motion of Mr. Davis, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1071 by the following vote:

AYES—Beck, Belotti, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Elliott, Fleury, Gubser, Hagen, Henderson, Hollibaugh, Kelly, Levering, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McFall, Moss, Parker, Rumford, Shaw, Stanley, and Thomas—31.

NOES—Babbage, Berry, Brady, Burke, Chapel, Cloyed, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Gaffney, Geddes, Grant, Hahn, Hansen, Hawkins, Kirkwood, Klocksiem, Lanterman, Lipscomb, Luckel, McCollister, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Porter, Rosenthal, Sherwin, Silliman, Smith, Stewart, and Tomlinson—41.

Appointment of Committee on Conference Concerning Assembly Bill No. 1071

The Speaker announced the appointment of Messrs. Davis, Evans, and Lyon as a Committee on Conference concerning Assembly Bill No. 1071.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 12.20 p.m., Mr. Dunn asked for, and was granted, unanimous consent that he be excused, for the balance of the legislative day, for the purpose of attending the wedding of his daughter.

RECESS

At 12.21 p.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

COMMUNICATIONS

By Speaker Sam L. Collins:

A communication from Judge Thomas J. Cunningham, Judge of the Master Calendar Criminal Departments, Superior Court of Los Angeles, commending the Legislature for passing the Sexual Psychopathy Act and submitting for consideration certain proposed amendments, was received, and the bill, with the proposed amendments by Judge Cunningham, was ordered referred to the Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1472

Mr. Lindsay asked for, and was granted unanimous consent to take up Senate Bill No. 1472, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1472

Senate Bill No. 1472—An act to amend Section 2 of an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, re-enacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929,' and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts and continuing such districts under the provisions of this act with the powers herein conferred," approved June 16, 1931, relating to eminent domain and declaring the urgency thereof.

Bill read third time.

Motion to Amend

Mr. Lindsay moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 39, of the printed bill, as amended in the Senate on May 29, 1951, strike out the semicolon, and insert ", but the right of eminent domain shall not extend to any property used for, or dedicated to cemetery purposes."

Amendment read, and adopted.
Bill ordered reprinted, and to third reading.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Senate Bill No. 1472

Mr. Lindsay asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Senate Bill No. 1472.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Tenney, James E. Cunningham, and Coombs as a Committee on Conference concerning:

Assembly Bill No. 3443—An act to amend Section 5501 of the Welfrae and Institutions Code, relating to the commitment of sexual psychopaths.

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

SENATE CHAMBER, SACRAMENTO, June 23, 1951

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

Assembly Bill No. 1985
Assembly Bill No. 2061
Assembly Bill No. 2924

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

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

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

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

Assembly Bill No. 52
Assembly Bill No. 861
Assembly Bill No. 991
Assembly Bill No. 1264
Assembly Bill No. 1376
Assembly Bill No. 1570
Assembly Bill No. 1958
Assembly Bill No. 2034
Assembly Bill No. 2290
Assembly Bill No. 2836
Assembly Bill No. 3434
Assembly Bill No. 3453

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

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

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

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

Assembly Bill No. 2858

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

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

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

Assembly Bill No. 2946

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

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

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Brown, Regan, and Collier as a Committee on Conference concerning:

Assembly Bill No. 1071—An act to amend Section 50¾ of, and to add Section 52 1 to, the Public Utilities Act, and to amend Section 1066 of, and to add Section 816.5 to, the Public Utilities Code, relating to public utilities.

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

SENATE CHAMBER, SACRAMENTO, June 23, 1951

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

Assembly Bill No 631
Assembly Bill No 1072
Assembly Bill No. 1093
Assembly Bill No 1166
Assembly Bill No 1257
Assembly Bill No 1260
Assembly Bill No. 1261
Assembly Bill No. 1262
Assembly Bill No. 1426
Assembly Bill No. 1724
Assembly Bill No 1939
Assembly Bill No. 2079
Assembly Bill No. 2129
Assembly Bill No. 2695

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

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

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

Assembly Concurrent Resolution No. 101

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

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

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

Senate Bill No. 1528
Senate Bill No 1544
Senate Bill No. 1586
Senate Bill No. 1625
Senate Bill No. 1637
Senate Bill No 1684
Senate Bill No 1721
Senate Bill No 1746
Senate Bill No. 1759
Senate Bill No. 1809
Senate Bill No. 1825
Senate Bill No 1836

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

SENATE CHAMBER, SACRAMENTO, June 23, 1951

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

Senate Bill No. 2
Senate Bill No 41
Senate Bill No. 42
Senate Bill No. 43
Senate Bill No. 77
Senate Bill No. 119
Senate Bill No 255
Senate Bill No 303
Senate Bill No. 347
Senate Bill No. 418
Senate Bill No 431
Senate Bill No. 432
Senate Bill No. 439
Senate Bill No. 451
Senate Bill No 484
Senate Bill No 520
Senate Bill No. 527
Senate Bill No 572
Senate Bill No 679
Senate Bill No. 736
Senate Bill No. 819
Senate Bill No. 857
Senate Bill No 858
Senate Bill No. 905
Senate Bill No. 906
Senate Bill No. 907
Senate Bill No 963
Senate Bill No 1029
Senate Bill No 1054
Senate Bill No 1108
Senate Bill No 1115
Senate Bill No. 1116
Senate Bill No 1462
Senate Bill No. 1468
Senate Bill No 1474
Senate Bill No 1524

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

SENATE CHAMBER, SACRAMENTO, June 23, 1951

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

Senate Concurrent Resolution No 98

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

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 98—Relative to Admission Day.

Referred to Committee on Rules.

RESOLUTIONS

The following resolutions were offered:

By Mr. McGee:

House Resolution No. 262

WHEREAS, State highway user and in lieu taxes are distributed to cities on a population basis as determined by either the last Decennial or Special Federal Census certified by the United States Bureau of Census; and

WHEREAS, Two hundred seventy-four special censuses, during the 1944-1950 period, were made and certified by the United States Bureau of Census at the request of cities; three cities having three separate censuses, 42 cities two, and 181 cities one; and

WHEREAS, Local funds in an amount variously estimated from $500,000 to $750,000 were spent in the taking of said censuses; and

WHEREAS, It appears feasible and more justified to use the annually state determined motor vehicle registration within cities as a distribution basis of said funds with a possible great saving of cost; now therefore be it

Resolved, That this subject be referred to the Assembly Interim Committee on Municipal and County Government for study and report to the California State Assembly during the 1952 Budget Session.

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

By Mr. Sam L. Collins:

House Resolution No. 263

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Western Union (telegrams) $219.25

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 263, at this time, without reference to committee or file.

Resolution read.

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

AYES—Beck, Belotti, Berry, Burke, Caldecott, Clarke, Coats, George D. Collins, Conrad, Cooke, Crowley, Davis, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Stanley, Stewart, Thomas, and Mr. Speaker—48.

NOES—None.

By Mr. Silliman:

House Resolution No. 264

Relative to the number of members on standing committees.

Resolved by the Assembly of the State of California, That the Speaker is authorized, within 30 days after final adjournment, to increase or decrease the number of members of each standing committee of the Assembly.

Request for Unanimous Consent

Mr. Silliman asked for, and was granted, unanimous consent to take up House Resolution No. 264, at this time, without reference to committee or file.

Resolution read, and ordered passed on file.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 1155—An act to amend Section 28131 of the Government Code, relating to compensation for public services in counties of the thirty-first class.

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

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Second Committee on Conference concerning:

Senate Bill No. 1633—An act to amend Sections 9403, 9405, 9406, 9407, 9408, 9410, 9411, and 9412 of the Government Code, relating to witnesses before legislative committees.

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

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 853

Mr. Rosenthal asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 853, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 853—An act to amend Section 1500 of the Welfare and Institutions Code, relating to aid to needy children in respect to children in the custody of licensed adoption, home-finding or child-placing agencies.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 853?

Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Assembly on March 29, 1951, after the period, insert "No child deprived of parental support because of separation or desertion shall be considered a "needy child" if the period of absence is less than three months."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 853 by the following vote:

AYES—Belotti, Berry, Burke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Elliott, Fleury, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Rumford, Shaw, Stanley, Stewart, Thomas, Tomlinson, and Waters—51.

NOES—None.

Assembly Bill No. 853 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 951

Mr. Rumford asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 951, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 951—An act to amend Sections 4013 and 4162 of, and add Sections 4034, 4034.2, 4038, 4038.1, 4038.2, 4038.3, and 4039

to, and repeal Sections 4038 and 4039 of, the Business and Professions Code, relating to pharmacy.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 951?

Amendment No. 1

On page 2 of the printed bill, as amended, strike out all of lines 19 to 23, inclusive.

Amendment No. 2

On page 2, in line 24, of said bill, as amended, strike out "SEC. 5.", and insert "SEC. 4."

Amendment No. 3

On page 2, in line 25, of said bill, as amended, strike out "SEC. 6.", and insert "SEC. 5."

Amendment No. 4

On page 2, in line 32, of said bill, as amended, strike out "SEC. 7.", and insert "SEC 6."

Amendment No. 5

On page 2, in line 41, of said bill, as amended, strike out "SEC 8.", and insert "SEC. 7."

Amendment No. 6

On page 2, in line 46, of said bill, as amended, strike out "SEC. 9.", and insert "SEC. 8."

Amendment No. 7

On page 3, in line 5, of said bill, as amended, strike out "SEC. 10.", and insert "SEC. 9."

Amendment No. 8

In line 2 of the title of the printed bill, as amended in the Senate on June 18, 1951, strike out "4034.2,".

Amendment No. 9

On page 2, line 19, of said bill, as amended, after "404", insert "or preparations designed for the purpose of feeding or treating animals (other than man) or poultry, and so labeled".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 951 by the following vote:

AYES—Belotti, Berry, Burke, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dolwig, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Waters—55.

NOES—None.

Assembly Bill No. 951 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 251

Mr. Geddes asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 251, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 251—An act to amend Sections 151.1, 201, 207, 302, 303, 307, and 311 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 251?

Amendment No. 1

On page 1, line 9, of the printed bill, after "not", insert "less than six nor".

Amendment No. 2

In line 1 of the title of the printed bill, as amended in the Senate on May 25, 1951, after "207," insert "210,".

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

Amendment No. 3

On page 2 of said bill, as amended, between lines 21 and 22, insert

"SEC. 3.5. Section 210 of the Unemployment Insurance Act is amended to read:

Sec. 210. As used in Section 209 "day" means any 24-hour period *of time during which the claimant is in a hospital*, or *any 24-hour period or any* part thereof [, of time] for which a hospital charges a patient a full day's rate."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 251 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Porter, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, and Waters—57.

NOES—None

Assembly Bill No. 251 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2005

Mr. Sherwin asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2005, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2005—An act to add Chapter 4 to Part 4 of Division 3 of Title 2 of the Government Code, relating to state-owned motor vehicles, and prescribing the powers and duties of the Department of Finance, the State Personnel Board and the State Board of Control with respect thereto.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2005?

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Assembly on May 8, 1951, after "thereto", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2 of said bill, as amended, strike all of lines 37 to 44, inclusive, and insert

"13955. The State Board of Control, upon its own initiative or upon request of any person, may suspend from state service without pay for a period not exceeding 30 days, any officer or employee of this State exempt from civil service for violating this chapter or the rules and regulations adopted pursuant thereto.

Such suspension is valid only if a written notice is served on the officer or employee prior to the effective date of the suspension and a copy of such notice filed with the State Personnel Board not later than 15 days after the effective date of such suspension The notice shall be served upon the employee either personally or by mail and shall include. (a) a statement of the nature of the punitive action; (b) the effective date of the action; (c) a statement of the causes therefor; and (d) a statement advising the employee of his right to answer the notice and the time within which that must be done if the answer is to constitute an appeal

The officer or employee against whom such punitive action is taken shall have the right to file an answer with the State Personnel Board as provided in Section

19575, Government Code, and request a hearing If the answer requests a hearing the State Personnel Board shall conduct a hearing. The board shall consider carefully the evidence admitted in the hearing and render a decision sustaining, modifying or revoking such suspension."

Amendment No. 3

On page 2 of said bill, as amended, after line 44, insert

"SEC. 2 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such urgency is as follows:

Section 17 5 of the Budget Act of 1950 which provides for control of state-owned vehicles, expires at the close of business on June 30, 1951. It is necessary for the protection of the people of this State that regulations relating to the care and use of state-owned vehicles be in force, without interruption. Any interference with the continuity of such law precludes the necessary uninterrupted controls and removes the required safeguards now applicable to state-owned vehicles. It is therefore necessary that this act go into immediate effect."

Amendment No. 4

On page 2 of the printed bill, as amended in the Senate on June 11, 1951, strike out lines 6 to 21, inclusive, and insert "of record keeping

(d) Governing the storage of state-owned motor vehicles in those locations where storage space for state-owned motor vehicles, under the jurisdiction of the Department of Finance, is available."

Amendment No. 5

On page 2 of said bill, as amended, strike out lines 29 to 31, inclusive, and insert "state agency."

Amendment No. 6

On page 2, line 45, of said bill, as amended, strike out "or upon request of any person".

Amendment No. 7

On page 2, line 24, of the printed bill, as amended in the Senate on June 20, 1951, strike out "for state-owned motor ve-", and insert ", under the jurisdiction of the Department of Finance, is available for storage of state-owned motor vehicles."; and strike out all of lines 25 and 26

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2005 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crowley, Dolwig, Elliott, Erwin, Geddes, Grant, Hagen, Hahn, Hawkins, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Porter, Sherwin, Smith, Stanley, Stewart, and Thomas—47.

NOES—Dickey, Doyle, Fleury, Henderson, Hollibaugh, Luckel, and McGee—7.

Assembly Bill No. 2005 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 2327—An act to add Sections 214.3 and 214.4 to the Revenue and Taxation Code, relating to exemption from property taxes.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 2327 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Davis, Lindsay, and Lowrey—3.

NOES—Babbage, Belotti, Berry, Brady, Burke, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln,

Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Porter, Rumford, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—57.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 295

Mr. McFall asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 295, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 295—An act to amend Section 685 of the Agricultural Code, relating to milk.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 295?

Amendment No. 1

In line 24, page 2, of the printed bill, as amended in the Assembly on June 7, 1951, following "of", insert "the".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 295 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rumford, Sherwin, Smith, Stewart, Tomlinson, and Waters—61.
NOES—None.

Assembly Bill No. 295 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 233

Mr. Geddes asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 233, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

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

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 233?

Amendment No. 1

On page 1, line 3, of the printed bill, as amended, strike out "annually", and insert "during the 1951-52 Fiscal Year".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 233 by the following vote:

AYES—Babbage, Beck, Berry, Brady, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Porter, Rumford, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—59.
NOES—Lowrey—1.

Assembly Bill No. 233 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 527

Mr. Fleury asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 527, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 527—An act to amend Section 20205, relating to the State Employees' Retirement System.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 527?

Amendment No. 1

In line 1 of the title of the printed bill, after "20205", insert "of the Government Code".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 527 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Porter, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, and Waters—57.

NOES—None

Assembly Bill No. 527 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 827

Mr. Geddes asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 827, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 827—An act to add Sections 20345.5, 20345.6, 20345.7 and 20345.8 to the Education Code, relating to student body organizations established in state colleges.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 827?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 31, 1951, strike out ", 20345.7 and 20345.8", and insert "and 20345.7".

Amendment No. 2

On page 2, line 13, of said bill, as amended, after "fee", insert ", or at his option shall agree to work off the amount of the fee at the prevailing student rate of the college,".

Amendment No. 3

On page 2 of said bill, as amended, strike out lines 44 to 50, inclusive.

Amendment No. 4

On page 1, line 1, of the printed bill, as amended in the Assembly on May 31, 1951, strike out "said code", and insert "the Education Code".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 827 by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley,

Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Niehouse, Porter, Sherwin, Smith, Stanley, Stewart, and Waters—53.
NOES—Beck, Hahn, Lowrey, Munnell, and Rumford—5.

Assembly Bill No. 827 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 940

Mr. Sherwin asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 940, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 940—An act to add Section 592.2 to, the Vehicle Code, relating to stopping, standing, or parking of vehicles.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 940?

Amendment No. 1

On page 1, line 13, of the printed bill, as amended in the Assembly on June 11, 1951, strike out "or owner".

Amendment No. 2

On page 1, line 14, of said bill, as amended, strike out "or for, or under contract with,".

Amendment No. 3

On page 1, line 16, of said bill, as amended, after "mail", insert "while engaged in such activity".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 940 by the following vote:

AYES—Beck, Belotti, Berry, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thomas, and Waters—56.
NOES—None.

Assembly Bill No. 940 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1111

Mr. Munnell asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1111, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1111—An act adding Sections 35002.5, 35003, 35158, and 35326 to, and amending Sections 35101 and 35313 of, the Government Code, relating to the annexation of territory to municipal corporations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1111?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 22, 1951, strike out "35158", and insert "35105.5, 35158, 35304.5".

Amendment No. 2

In line 2 of the title of said bill, as amended, after "amending", insert "the article heading of Article 1, Chapter 1, Part 2, Division 2, Title 4 of, and amending".

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

Amendment No. 3

On page 1, line 1, of said bill, as amended, strike out "Section 35002.5 is added to the Government", and insert "The article heading of Article 1, Chapter 1, Part 2, Division 2, Title 4 of the Government Code is amended to read:

Article 1. [Petition] General

SEC. 2. Section 35002.5 is added to the Government".

Amendment No. 4

On page 1 of said bill, as amended, strike out lines 6 to 15, inclusive, and insert "feet wide exclusive of highways.

SEC 2.5. Section 35003 is added to the Government Code, to read:

35003. Notwithstanding the provisions of Section 35002.5, territory which is wholly owned by a public agency may, with the consent of that public agency be annexed to a city together with any street, highway or road which connects such territory to the city."

Amendment No. 5

On page 2 of said bill, as amended, between lines 5 and 6, insert

"SEC 3.5. Section 35105.5 is added to the Government Code, to read:

35105.5. *Notwithstanding the provisions of Section 35002.5, territory consisting* of property abutting on a street, highway, or road, and such street, highway or road to the extent that it abuts such property together with any street, highway, or road which *connects such territory to the city may be annexed to a city pursuant to this article;* provided, that if any portion of such territory or street, highway, or road is situated within three miles of the boundaries of any other city the consent of the legislative body of such other city shall first be obtained."

Amendment No. 6

On page 2 of said bill, as amended, between lines 10 and 11, insert

"SEC 4.5. Section 35304.5 is added to the Government Code, to read:

35304.5 Notwithstanding the provisions of Section 35002.5, territory consisting of property abutting on a street, highway, or road and such street, highway, or road to the extent that it abuts such property together with any street, highway, or road which connects such territory to the city may be annexed to a city pursuant to this article if the owner or owners of all such abutting property either petition for such annexation or file their consent to such annexation in writing with the governing body of the city, provided that if any portion of such territory or street, highway or road is situated within three miles of the boundaries of any other city the consent of the legislative body of such other city shall first be obtained."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1111 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Munnell, Niehouse, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, and Waters—57.

NOES—None.

Assembly Bill No. 1111 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1258

Mr. Fleury asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1258, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1258—An act to add Article 4.5, comprising Sections 20215 to 20226, inclusive, to Chapter 2 of Part 3, Division 5, Title 2 of the Government Code, relating to the State Employees' Retirement System, authorizing the investment of the funds of such system in real property, and prescribing the limitations upon such investments.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1258?

Amendment No. 1

On page 1, line 2, of the printed bill, as amended in the Assembly on June 11, 1951, strike out "20225", and insert "20227".

Amendment No. 2

In line 1 of the title of the printed bill, as amended in the Senate on June 16, 1951, strike out "20227", and insert "20228".

Amendment No. 3

On page 1, line 2, of said bill, as amended, strike out "20227", and insert "20228".

Amendment No. 4

On page 3 of said bill, as amended, after line 43, insert

"20228. Nothing in this article shall be construed to authorize the Director of Finance to enter into any contracts for the construction of public works or invest in or acquire real property without a specific authorization by the Legislature."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1258 by the following vote:

AYES—Babbage, Beck, Belotti, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Porter Rosenthal, Rumford, Smith, Stanley, Stewart, and Waters—60.

NOES—None.

Assembly Bill No. 1258 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2464

Mr. Morris asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2464 without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2464—An act to amend Section 672 of the Vehicle Code, relating to escort of vehicles by police and traffic officers.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2464?

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Assembly on May 23, 1951, after "escort", insert "or conveyance".

Amendment No. 2

On page 1, line 9, of said bill, as amended, after "of", insert "supplies and personnel for the".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2464 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Niehouse, Porter, Rosenthal, Rumford, Smith, Stanley, Stewart, and Waters—61

NOES—None.

Assembly Bill No. 2464 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2727

Mr. Stewart asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2727, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2727—An act to amend Sections 2, 2.1, 5, 33, 45.7 and 68 of the Community Redevelopment Act, and to amend Sections 33003, 33047, 33048, 33480, 33481, 33482, 33738, and 33885 of, and to repeal Sections 33739 and 33740 of, the Health and Safety Code, relating to redevelopment.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2727?

Amendment No. 1

On page 9 of the printed bill, as amended in the Assembly on May 29, 1951, strike out lines 44 to 50, inclusive, and insert

"If the plan provides for the displacement, whether temporary or permanent, of any occupants of housing facilities in the project area, the legislative body shall not approve the plan, except upon the finding that adequate permanent housing facilities are or will be made available in the community for such displaced occupants at rents comparable to those obtaining in the community at the time of their displacement.

The legislative body shall further be satified that such permanent housing facilities shall, in any event, be made available within three years from the time such occupants will be displaced; and that pending the development of such permanent housing facilities, there will be available to such displaced occupants adequate temporary housing facilities at rents comparable to those obtaining in the community at the time of their displacement."

Amendment No. 2

On page 12, line 31, of said bill, as amended, after the first "body", and before "or", insert a comma.

Amendment No. 3

On page 12, line 33, of said bill, as amended, strike out the comma.

Amendment No. 4

On page 13 of said bill, as amended, strike out lines 12 to 20, inclusive, and insert

"33738. If the plan provides for the temporary or permanent displacement of any occupants of housing facilities in the project area, the legislative body shall not approve the plan except upon the finding that adequate permanent housing facilities are or will be made available in the community for such displaced occupants at rents comparable to those in the community at the time of their displacement."

Amendment No. 5

On page 13 of said bill, as amended, strike out line 21, and insert

"SEC. 14. Section 33739 of said code is amended to read:

33739. The legislative body shall also be satisfied that such permanent housing facilities will be made available within three years from the time such occupants are displaced and that pending the development of such facilities there will be available to such displaced occupants adequate temporary housing facilities at rents comparable to those in the community at the time of their displacement."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2727 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Niehouse, Porter, Rosenthal, Rumford, Stewart, and Waters—49

NOES—Condon, Hagen, and Henderson—3.

Assembly Bill No. 2727 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2825

Mr. Lowrey asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2825, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2825—An act to add Section 160.96 to the Agricultural Code, relating to agricultural pest control business and establishing limitation upon bringing of action for loss suffered in connection therewith.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2825?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on June 6, 1951, strike out line 8, and insert "from the time that the occurrence of such loss or damage became known to him, or in the event a".

Amendment No. 2

On page 2, lines 11 and 12, of said bill, as amended, strike out "or should reasonably have been"

Amendment No. 3

On page 2 of said bill, as amended, after line 31, insert

"The provisions of this section shall remain in effect until the ninety-first day after final adjournment of the 1953 Regular Session of the Legislature and thereafter shall have no further force or effect."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2825 by the following vote:

AYES—Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Smith, Stewart, Thomas, and Waters—57.

NOES—None

Assembly Bill No. 2825 ordered enrolled.

Hon. Richard H. McCollister Presiding

At 2.50 p.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1969

Mr. Meyers asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1969, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1969—An act to authorize the improvement of certain streets abutting the campus of the San Francisco State College.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1969?

Amendment No. 1

On page 1 of the printed bill, strike out lines 2 and 3, and insert "ized to construct and improve, or cause to be constructed and improved, by grading, paving, and installation of curbs, gutters, sidewalks, storm drains, catch basins, and appurtenant lighting facilities, the area".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1969 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stewart, and Waters—55.

NOES—Geddes—1.

Assembly Bill No. 1969 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2043

Mr. Davis asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2043 without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2043—An act to amend Sections 39.1 and 340 of the Fish and Game Code, relating to fish and game.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2043?

Amendment No. 1

On page 2, lines 41 and 42, of the printed bill, as amended in the Assembly on June 7, 1951, strike out "At least one member of the commission, and such", and insert "The hearing shall be conducted by either (a) the commission, (ab) a member of the commission designated by it, or (c) the director if requested so to do by the commission. Such".

Amendment No. 2

On page 2, line 43, of said bill, as amended, strike out "person", and insert "group of persons".

Amendment No. 3

On page 3, lines 23 and 24, of said bill, as amended, strike out "At least one member of the commission, and such", and insert "The hearing shall be conducted by either (a) the commission, (b) a member of the commission designated by it, or (c) the director if requested so to do by the commission. Such".

Amendment No. 4

On page 3, line 25, of said bill, as amended, after "interested", insert "group of".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2043 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn,

Hansen, Henderson, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Munnell, Niehouse, Porter, Rosenthal, Sherwin, Smith, Stewart, and Waters—52

NOES—None.

Assembly Bill No. 2043 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3433

Mr. Sherwin asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 3433, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3433—An act to add Chapter 1.7 to Division 1 of the Welfare and Institutions Code, relating to solicitation of funds for charitable purposes.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3433?

Amendment No. 1

On page 1, line 26, of the printed bill, as amended in the Assembly on June 4, 1951, strike out "certified public accountant", and insert "public accountant holding a permit to practice public accountancy issued by the State Board of Accountancy to certified public accountants and to registered public accountants or by a certified public accountant of any other state".

Amendment No. 2

On page 1, line 29, of said bill, as amended, strike out "certified public accountant", and insert "public accountant holding a permit to practice public accountancy issued by the State Board of Accountancy to certified public accountants and to registered public accountants or by a certified public accountant of any other state".

Amendment No. 3

On page 2 of said bill, as amended, between lines 1 and 2, insert
"(7) The Salvation Army."

Amendment No. 4

On page 2, line 6, of said bill, as amended, strike out "certified public accountant", and insert "public accountant holding a permit to practice public accountancy issued by the State Board of Accountancy to certified public accountants and to registered public accountants or by a certified public accountant of any other state".

Amendment No. 5

On page 2, lines 12 and 13, of said bill, as amended, strike out "certified public accountant", and insert "public accountant holding a permit to practice public accountancy issued by the State Board of Accountancy to certified public accountants and to registered public accountants or by a certified public accountant of any other state".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3433 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Sherwin, Smith, Stanley, Stewart, and Waters—54.

NOES—None.

Assembly Bill No. 3433 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1806

Mr. Burkhalter asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1806, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1806—An act to amend Sections 1101, 1102.2, 1102.3, and 1107 of the Agricultural Code, relating to eggs.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1806?

Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on June 7, 1951, strike out lines 3 to 7, inclusive, and insert "this article is guilty of a misdemeanor punishable.

(a) In cases of wilful or intentional violation by imprisonment in the county jail not exceeding six months or by fine not exceeding five hundred dollars ($500) or by both, or

(b) In cases not involving wilful or intentional violation by fine not exceeding five hundred dollars ($500)."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1806 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Parker, Rosenthal, Sherwin, Smith, Stewart, and Waters—51.

NOES—None.

Assembly Bill No. 1806 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY CONCURRENT RESOLUTION NO. 98

Mr. Gubser asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Concurrent Resolution No. 98, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Concurrent Resolution No. 98—Relative to determination of water rights.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No. 98?

Amendment No. 1

In lines 1 and 2 of the title of the printed measure, strike out "determination of water rights", and insert "protection and preservation of underground water supplies".

Amendment No. 2

On page 1 of said measure, strike out lines 2 to 9, inclusive, and insert "of the State are insufficient to supply current demands; and

WHEREAS, The causes for this overdraft on underground water supplies vary in different portions of the State, both with respect to replenishment of the supplies and the use thereof; and

WHEREAS, Legislation to ameliorate presently unsatisfactory conditions with respect to ground-water supplies should be investigated with a view toward examining the feasibility of statutory regulation of use of underground water; now, therefore,"

Amendment No. 3

On page 1 of said measure, strike out lines 15 and 16, and insert "underground water supplies in the several parts of the State to be replenished to the greatest possible extent and to preserve and to protect such supplies and to assure their use in accordance with laws found necessary to assure the maximum productive use thereof, and be"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Concurrent Resolution No. 98 by the following vote:

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, McCarthy, McFall, McGee, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Smith, Stewart, Thomas, Tomlinson, and Waters—55

NOES—None.

Assembly Concurrent Resolution No. 98 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY JOINT RESOLUTION NO. 45

Mr. Lanterman asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Joint Resolution No. 45, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Joint Resolution No. 45—Relative to federal aid for child care centers.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Joint Resolution No. 45?

Amendment No. 1

In line 11 of the printed measure, strike out "and".

Amendment No. 2

Strike out lines 12, 13, and 14 of said measure.

Amendment No. 3

In line 15, of said measure, strike out "of the national emergency".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Joint Resolution No. 45 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, McCarthy, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Smith, Stewart, Thomas, Waters, and Mr. Speaker—57.

NOES—Chapel—1.

Assembly Joint Resolution No. 45 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 52

Mr. Conrad asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 52, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

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

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 52?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 7420 of, and to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 25, inclusive.

Amendment No. 3

On page 2 of said bill, strike out lines 1 to 3, inclusive.

Amendment No. 4

On page 2, line 4, of said bill, strike out "SEC. 2. Section 7421 is added to said code, to read:", and insert

"SECTION 1. Section 7421 is added to the Business and Professions Code, to read:".

Amendment No. 5

On page 2, line 8, of said bill, strike out "Such per-"; and strike out lines 9 to 14, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 52 by the following vote:

AYES—Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Smith, Stewart, Thomas, and Waters—56

NOES—None.

Assembly Bill No. 52 ordered enrolled.

Speaker Pro Tempore Presiding

At 3 p m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding:

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2075

Mr. McCollister asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2075 without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2075—An act to amend Sections 20890 and 20894.5 of the Government Code, and Sections 14449 and 14495.2 of the Education Code, relating to public retirement systems in respect to absence of members in military service and contributions therefor.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2075?

Amendment No. 1

On page 1, line 9, of the printed bill, as amended in the Assembly on April 18, 1951, after "Government," insert "and during any period of rehabilitation afforded by the United States Government other than a period of rehabilitation for purely educational purposes,".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2075 by the following vote:

AYES—Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Cooke, Crowley, Davis, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Sherwin, Smith, Stewart, Thomas, and Waters—53.

NOES—None.

Assembly Bill No. 2075 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 991

Mr. Levering asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 991, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 991—An act to add Section 10494.6 of the Insurance Code, relating to disability insurance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 991?

Amendment No. 1

On page 2, line 8, of the printed bill, as amended in the Assembly on May 30, 1951, after the period, insert

"The Insurance Commissioner may, at his discretion, examine the financial condition of the plan. If on examination, the Insurance Commissioner finds that the reserves on hand plus the bond required elsewhere herein, may not, in his judgment, be adequate to guarantee the payment of all outstanding and incurred liabilities of the plan, the Insurance Commissioner may withdraw the employer's certificate of exemption, if the employer refuses to post security in addition to that required elsewhere herein in an amount which, in the judgment of the Insurance Commissioner, will be adequate to guarantee the payment of all outstanding and incurred liabilities of the plan."

Amendment No. 2

In the first line of the title of the printed bill, as amended in the Senate on June 15, 1951, strike out "Section 10494 6 of", and insert "Sections 10494.6 and 10494.7 to".

Amendment No. 3

On page 2 of said bill, as amended, strike out lines 11 to 32, inclusive, and insert

"SEC. 2. Section 10494 7 is added to said code, to read:

10494.7 With respect to the supplemental plan described in Section 10494 6, the commissioner may, in addition to the regulations permitted by Section 10498 6, promulgate other reasonable regulations covering all matters set forth in Section 10494 6 and this section. The commissioner shall require each employer making available such supplemental plan to post with him security in the form of a bond of an admitted surety insurer conditioned on the payment by the employer of his obligations under the entire plan or of deposits with the commissioner of securities approved by him to secure the payment of such obligations. Such security shall be equal to the greater of (a) twenty-five thousand dollars ($25,000), (b) the estimated contributions of the employees under the entire plan for the ensuing year, (c) the contributions paid by the employees under the entire plan during the preceding year, or (d) one-half of all of the amounts of benefit either paid or incurred by the employer under the entire plan during the preceding year.

If on examination or investigation of any plan which includes benefits for dependents, the commissioner finds that the aggregate of the trust funds separately held for the supplemental plan and the security in the form hereinabove described may not, in his judgment, be adequate to guarantee the payment of outstanding and incurred liabilities of the entire plan, he may require the employer to post such additional security as will, in his judgment, be adequate to guarantee the payment of all outstanding and incurred liabilities of the entire plan, and, if the employer fails to post such additional security, he may revoke the employer's certificate of exemption."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 991 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Sherwin, Smith, and Waters—51.

NOES—None.

Assembly Bill No. 991 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1570

Mr. Grant asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No 1570, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1570—An act to provide for the formation of districts within municipalities for the acquisition and improvement of public parking places for the parking of motor vehicles; the issuance and sale of bonds to pay the costs of such acquisition and improvement and payable either from revenues from such parking places and also from revenues from parking meters on some or all of the public ways in such districts or from ad valorem assessments upon real property in such districts, or both; the acquisition, construction, improvement, maintenance and operation of such parking places; the appointment and powers of parking place commissions for such districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1570?

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Assembly on June 8, 1951, strike out "either".

Amendment No. 2

On page 11, lines 5 and 6, of said bill, as amended, strike out "or for the acquisition and improvement of other parking facilities".

Amendment No. 3

On page 11, line 8, of said bill, as amended, after the period, insert "Any excess revenues shall be paid into the general fund of the city or the fees and charges reduced so that there will be no excessive revenue."

Amendment No. 4

On page 12 of said bill, as amended, between lines 41 and 42, insert

"The commission shall fix the rentals, fees, or charges so that they will not produce revenues, when added to the expected revenues from parking meters pledged to the payment of bonds of the district, in excess of the amount required to pay the costs of operation and the principal and interest of the bonds as they fall due."

Amendment No. 5

On page 15 of said bill, as amended, after line 7, insert

"SEC 27 After the bonds and all other indebtedness of the district have been fully retired, the legislative body may provide for the dissolution of the district and the operation of the parking places by the municipality as municipal parking places"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1570 by the following vote:

AYES—Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis,

Dolwig, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Henderson, Kilpatrick, Klocksiem, Lapscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Sherwin, Smith, Stewart, and Waters—47.

NOES—None.

Assembly Bill No. 1570 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1958

Mr. Fleury asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1958, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1958—An act to amend Section 3 of an act entitled "An act relating to institutions under the jurisdiction of the Department of Corrections, making an appropriation to be expended pursuant to the Property Acquisition Act for the acquisition of a new site for the California Institution for Women, authorizing the Director of Corrections to transfer the California Institution for Women from its present location near Tehachapi to the new site, and authorizing the disposition of the Tehachapi property," approved July 2, 1947, relating to institutions under the jurisdiction of the Department of Corrections.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1958?

Amendment No. 1

On page 1, line 12, of the printed bill, after "Corrections", insert "; or the property may be transferred by the Director of Corrections, upon authorization by the Board of Corrections, to the Director of Finance, who is authorized to lease it, under such conditions and terms as he deems are in the best interests of the State, to any nonprofit corporation for use as a home for minor children and youths who are dependent, neglected, or in danger of becoming delinquent; or if the Legislature appropriates funds for capital outlay for, or for the support of, a California academy, as provided in Chapter 8 of Division 10 of the Education Code, and the property has not been transferred to the Director of Finance, the property may be transferred by the Director of Corrections to the Department of Education for use as such academy".

Amendment No. 2

In the heading of the printed bill, as amended in the Senate on June 11, 1951, under "Introduced by Mr. Fleury", insert "(By request of Mr Kelly)".

Amendment No. 3

In line 11 of the title of said bill, as amended, after "Corrections", insert ", and the disposition of property used in connection therewith".

Amendment No. 4

On page 1, line 3, of said bill, as amended, strike out "After", and insert "Within a reasonable time, and not more than 90 days, after".

Amendment No. 5

On page 1, line 4, of said bill, as amended, after "state owned", insert "real".

Amendment No. 6

On page 1, line 6, of said bill, as amended, strike out "used", and strike out lines 7 to 15, inclusive, and lines 1 to 6, inclusive, on page 2, and insert "transferred to the State Department of Education and used by that department as one of the California academies created by the Legislature by Chapter 1565 of the Statutes of 1947 adding Chapter 8 to Division 10 of the Education Code, provided, however, that if at the time the property is ready for occupancy by the Department of Education, funds deemed necessary by that department for outlay for, or for support of, a California academy as provided in Chapter 8 of Division 10 of the Education Code, shall not be appropriated by the Legislature through the budget or otherwise, or acquired by the department through gifts or donations, then the Department of Education shall, upon

the request of the Department of Finance, transfer the property to the Director of Finance who is authorized to lease it, under such conditions and terms as he deems reasonable and are in the best interests of the State, to any nonprofit corporation for use as a home for minor children and youths who are dependent, neglected, or in danger of becoming delinquent, or, in lieu thereof, provide for the use of the property by such agency of the State as he deems necessary and for the best interests of the State."

Amendment No. 7

On page 1, lines 3 and 4 of the printed bill, as amended in the Senate on June 15, 1951, strike out ", and not more than 90 days".

Amendment No. 8

On page 2 of said bill, as amended, strike out lines 10 to 30, inclusive, and insert "used for one of the following purposes in the order of preference listed:

(a) As a California academy as provided in Chapter 8 of Division 10 of the Education Code; provided, however, that if at the time the property is no longer used for its present purposes funds deemed necessary by the Department of Education for capital outlay for, or for support of, such California academy shall not have been appropriated by the Legislature through the budget or otherwise or acquired by the department through gifts or donations, then

(b) The property shall be made available for any other purpose in the public interest to be determined by the Legislature, or

(c) If the Legislature fails to act by the time the property is no longer required by the Department of Corrections for the use of the California Institution for Women it shall then be transferred to the Director of Finance who is authorized to lease it under such conditions and terms as he deems reasonable and are in the best interests of the State, to any nonprofit corporation for use as a home for minor children and youths who are dependent, neglected, or in danger of becoming delinquent, or, in lieu thereof, provide for the use of the property by such agency of the State as he deems necessary and for the best interests of the State."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1958 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Smith, Stanley, Stewart, Thomas, and Waters—59

NOES—Lowrey, Luckel, and Sherwin—3

Assembly Bill No. 1958 ordered enrolled.

FURTHER CONSIDERATION OF HOUSE RESOLUTION NO. 264

By Mr. Silliman:

House Resolution No. 264

Relative to the number of members on standing committees

Resolved by the Assembly of the State of California, That the Speaker is authorized, within 30 days after final adjournment, to increase or decrease the number of members of each standing committee of the Assembly.

Resolution read.

Motion to Amend

Mr. Silliman moved the adoption of the following amendment:

Amendment No. 1

In line 3 of the resolution, after "increase", insert a comma, and after "or", insert "with the consent of the member involved".

Amendment read, and adopted.

Consideration of House Resolution No. 264, as Amended

By Mr. Silliman:

House Resolution No. 264

Relative to the number of members on standing committees

Resolved by the Assembly of the State of California, That the Speaker is authorized, within 30 days after final adjournment, to increase, or with the consent of the member involved, decrease the number of members of each standing committee of the Assembly.

Resolution read, as amended, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1695

Mr. Kirkwood asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1695, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1695—An act to add Section 20254 to the Education Code, relating to the performance of services for the Federal Government by schools and colleges under the jurisdiction of the Department of Education.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1695?

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on May 25, 1951, after "agreement", insert ", except recovery of contributions to the State Employees' Retirement Fund,".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1695 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—62.

NOES—None.

Assembly Bill No. 1695 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 861

Mr. Thomas asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 861, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 861—An act to amend Sections 353, 458, and 507 of the Streets and Highways Code, relating to state highway routes.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 861?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "458, and 507", and insert "364, 375, 435, 454, 458, 459, 467, 471, 496, and 507 and to repeal Sections 481 and 483".

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

Amendment No. 2

On page 1 of said bill, between lines 4 and 5, insert

"SEC. 2. Section 364 of said code is amended to read:

364. Route 64 is from:

(a) Route 2 near San Juan Capistrano to Route [77 near Lake Elsinore] 78 *near Perris*.

(b) Route 78 near Perris to Route 26 near Indio.

(c) Mecca via Blythe to the Arizona State line at the Colorado River, and includes that portion of the Colorado River highway bridge (near Ehrenburg, Arizona) which is within the State of California. The department may contract with the State of Arizona, for and on behalf of the State of California, for the maintenance of such bridge.

(d) A point near Shaver's Summit on that portion of Route 64 specified in subdivision (c) to Route 26 near Indio.

SEC. 3. Section 375 of said code is amended to read:

375. Route 75 is from:

(a) Oakland to Route [5] 4 near Stockton via Walnut Creek and Antioch.

(b) Route (a) above, north of Walnut Creek to Martinez

(c) Route 4 near Stockton via Copperopolis to Route 65 near Altaville.

SEC. 4. Section 435 of said code is amended to read:

435. Route 135 is from Route 10 [at] *near* Hanford [via], *thence southerly in the vicinity of* Corcoran and *via* Earlimart to Route 129 near Ducor.

SEC. 5. Section 454 of said code is amended to read:

454. Route 154 is from:

(a) *The junction of Route 60 and Saviers Road in Ventura County, along the route of said road to Route 2 at El Rio.*

(b) Route 2 near El Rio to Route 9 near Saticoy.

[(b)] *(c)* Route 9 near Saticoy to Route 79."

Amendment No. 3

On page 1 of said bill, strike out lines 5 to 10, inclusive, and insert

"SEC. 6. Section 458 of said code is amended to read:

458. Route 158 is from Route 4 near San Fernando to Route 2 in the vicinity of El Toro; provided, however, that Section 600 of this code shall be applicable to that portion of said route southerly of Route 167 near Signal Hill the same as if said portion had been added by the Collier-Burns Highway Act of 1947, and the Department of Public Works shall not be required to maintain any portion of said route until the same has been laid out and constructed as a state highway.

SEC. 7. Section 459 of said code is amended to read:

459. Route 159 is [Lankershim Boulevard] from Route 2 near [Universal City] *Vineland Avenue* to Route 4 *near Tujunga Wash*.

SEC. 8. Section 467 of said code is amended to read:

467. Route 167 is from Long Beach to [Route 205 in South Pasadena] *Huntington Drive*.

SEC. 9. Section 471 of said code is amended to read:

471. Route 171 is from Route 60 near Huntington Beach to Route [2 near Whittier] *62 at or near Buena Park*.

SEC. 10. Section 496 of said code is amended to read

496. Route 196 is from Route 2 near Oceanside to [Vista] *Route 77 near Escondido*."

Amendment No. 4

On page 1, line 11, of said bill, strike out "3", and insert "11".

Amendment No. 5

On page 1 of said bill, after line 19, insert

"SEC. 12. Sections 481 and 483 of said code are repealed."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 861 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb,

Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Nichouse, Parker, Porter, Rosenthal, Sherwin, Silliman, Smith, Thomas, Waters, and Mr Speaker—56.

NOES—None.

Assembly Bill No. 861 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1264

Mr. Lindsay asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1264, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1264—An act to amend Section 2893 of the Education Code, relating to the annexation of school districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1264?

Amendment No. 1

On page 1, line 5, of the printed bill, before "shall", insert "and who have children of school age, regardless of whether they are attending school in such district or in another district,".

Amendment No. 2

On page 1, line 3, of the printed bill, as amended in the Senate on May 25, 1951, after the first "the", insert "registered".

Amendment No. 3

On page 1, lines 4 and 5, of said bill, strike out "of school age, regardless of whether they are attending school in such district or in another district", and insert "enrolled in any elementary school, whether in the district of residence or another district, as shown by the teachers' register for the current or next preceding term".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1264 by the following vote:

AYES—Belotti, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Dolwig, Doyle, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rumford, Stanley, Stewart, Thomas, and Waters—47

NOES—Brady and Lowrey—2.

Assembly Bill No 1264 ordered enrolled.

MOTION THAT COPIES OF BILLS WITH ALL AMENDMENTS BE PLACED UPON DESKS OF MEMBERS PRIOR TO THEIR CONSIDERATION

Mr. Condon moved that copies of bills with all adopted amendments be placed upon the desk of every member prior to discussion of said measures, and that no roll calls be taken until copies of bills are available for scrutiny.

Mr. Coats seconded the motion.

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

AYES—Babbage, Beck, Brady, Burkhalter, Caldecott, Coats, Condon, Conrad, Dickey, Dills, Dolwig, Elliott, Evans, Fleury, Gubser, Hagen, Hansen, Hawkins, Hen-

derson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Lanterman, Lipscomb, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Thomas, and Waters—40.

NOES—Belotti, Burke, Clarke, Cloyed, Cooke, Geddes, Grant, Levering, Lindsay, Luckel, Sherwin, and Stewart—12.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

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

Senate Bill No. 1489—An act to repeal Section 3440 of, and to add Sections 3440 and 3440.1 to, and to amend Section 3440.5 of, the Civil Code, relating to transfers of particular personal property.

And appointed Senators O'Gara, Miller, and James E. Cunningham as a Committee on Conference to meet a like committee from the Assembly.

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

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1489

The Speaker announced the appointment of Messrs. McCarthy, Connolly, and Fleury as a Committee on Conference concerning Senate Bill No. 1489.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

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

Senate Bill No. 399—An act to amend Section 2110 of the Streets and Highways Code, relating to apportionments to counties payable from the Highway Users Tax Fund.

And appointed Senators Collier, Mayo, and Dilworth as a Committee on Conference to meet a like committee from the Assembly.

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

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 399

The Speaker announced the appointment of Messrs. Luckel, Davis, and Lindsay as a Committee on Conference concerning Senate Bill No. 399.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

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

Senate Bill No. 29—An act to amend Sections 4965 and 7431 of the Education Code, relating to bonded capacity of school districts, declaring the urgency thereof, to take effect immediately.

And appointed Senators Dilworth, Judah, and Watson, as a Committee on Conference to meet a like committee from the Assembly.

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

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 29

The Speaker announced the appointment of Messrs. Kirkwood, Babbage, and Cloyed as a Committee on Conference concerning Senate Bill No. 29.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

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

Senate Bill No. 919—An act to amend Sections 753, 2001, 2002, 2004, and 2005 of; to amend and renumber Sections 755, 756, 758, 759, 760, 1831, 1832, 1833, 1834, 1835, 1839, 1840, 1841, 1842, and 1843 of; to add Sections 1840.5 and 2006 to; and to repeal Sections 754, 757, 1836, 1837, 1904, 1905, 1906, 1907, and 1908 of the Revenue and Taxation Code, relating to property taxation and the allocation of state funds; declaring the urgency thereof, to take effect immediately.

And appointed Senators Hulse, Parkman, and Burns, as a Committee on Conference to meet a like committee from the Assembly.

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

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 919

The Speaker announced the appointment of Messrs. Kirkwood, Hollibaugh, and Silliman as a Committee on Conference concerning Senate Bill No. 919.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2061

Mr. Kirkwood asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2061, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2061—An act to continue in effect Sections 1, 2, 3, 4, 6, 7, 8, 8.5, 8.6, 9 and 11.5 of an act entitled "An act to repeal Section 10 of an act entitled, 'An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved May 28, 1947 (Chapter 401, Statutes of 1947), to provide for the continuance in effect of an act entitled 'An act to amend Section 10 of an act entitled "An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16, to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately," approved May 28, 1947 (Chapter 401, Statutes of 1947); to repeal Sections 6713, 7039, 7052, 7064, 7068, 7117, 7126, 7128, and 7147 of the Education Code; to repeal Article 4 of Chapter 13, and Article 6 of Chapter 14, of Division 3 of said code; to add Article 4 to Chapter 13, Article 6 to Chapter 14, and Articles 1 and 13.5 to Chapter 15, of Division 3 of said code; to add Sections 5157, 6408, 7126, 7132, and 7151 to said code; to amend the headings of Articles 1 and 13 of Chapter 15 of Division 3 of

said code; and to amend Sections 5152, 5153, 5156, 6703, 6714, 6812, 7002, 7012, 7023, 7032, 7033, 7034, 7035, 7036, 7037, 7038, 7041, 7061, 7062, 7063, 7067, 7081, 7091, 7092, 7094, 7095, 7101, 7103, 7111, 7112, 7113, 7114, 7115, 7116, 7121, 7122, 7124, 7130, 7146, 7146.1, 7148, 7149, 7150, 7208, 7231, and 9645, of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved July 20, 1949 (Chapter 1017, Statutes of 1949), except Section 1 thereof; to repeal Sections 6714 and 7094 of the Education Code; to add Sections 5153.3 and 6904 to said code; and to amend Sections 7091, 7092, 7095, 7113, 7116, and 6951 of said code, to repeal Articles 2 and 3 of Chapter 15, Division 3 of said code and to add Articles 2 and 11.6 to Chapter 15, Division 3 of said code all relating to the Public School System,'' approved May 5, 1950 (Chapter 74, Statutes 1950 First Extraordinary Session); to repeal Sections 2.5, 5, 10, 12, and 13 of said act; to repeal Sections 5153.3, 6812 and 7091 of the Education Code; to repeal Articles 2, 3 and 11.6 of Chapter 15 of Division 3 of said code; to add Sections 5153.3, 6812 and 7091 to said code; and to add Articles 2 and 11.6 to Chapter 15 of Division 3 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2061?

Amendment No. 1

Strike out the title of the printed bill, as amended in the Assembly on May 14, 1951, and insert

"An act to continue in effect an act entitled "An act to repeal Section 10 of an act entitled 'An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved May 28, 1947 (Chapter 401, Statutes of 1947), to provide for the continuance in effect of an act entitled 'An act to amend Section 10 of an act entitled "An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code, to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately," approved May 28, 1947 (Chapter 401, Statutes of 1947); to repeal Sections 6713, 7039, 7052, 7064, 7068, 7117, 7126, 7128, and 7147 of the Education Code; to repeal Article 4 of Chapter 13, and Article 6 of Chapter 14, of Division 3 of said code; to add Article 4 to Chapter 13, Article 6 to Chapter 14, and Articles 1 and 13.5 to Chapter 15, of Division 3 of said code; to add Sections 5157, 7126, 7132, and 7151 to said code; to amend the hearings of Articles 1 and 13 of Chapter 15 of Division 3 of said code; and to amend Sections 5152, 5153, 5156, 6703, 6714, 6812, 7002, 7012, 7023, 7032, 7033, 7034, 7035, 7036, 7037, 7038, 7041, 7061, 7062, 7063, 7067, 7081, 7091, 7092, 7094, 7095, 7101, 7103, 7111, 7112, 7113, 7114, 7115, 7116, 7121, 7122, 7124, 7130, 7146, 7146.1, 7148, 7149, 7150, 7208, 7231, and 9645 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved July 20, 1949 (Chapter 1017, Statutes of 1949), except Section 1 thereof; to repeal Sections 6714 and 7094 of the Education Code; to add Sections 5153.3 and 6904 to said code; and to amend Sections 7091, 7092, 7095, 7113, 7116, and 6951 of said code, to repeal Articles 2 and 3 of Chapter 15, Division 3 of said code and to add Articles 2 and 11.6 to Chapter 15, Division 3 of said code all relating to the Public School System," approved May 5, 1950 (Chapter 74, Statutes 1950

First Extraordinary Session), and the several chapters, articles, and sections of the Education Code continued in effect by said act, except as otherwise provided in this act or in any other act enacted by the 1951 Regular Session of the Legislature; to repeal Sections 2.5, 10, 12, and 13 of said act; to repeal Sections 5153.3, 6906, 7037, and 7062 of the Education Code; to repeal Articles 2, 3, and 11.6 of Chapter 15 of Division 3 of said code; to repeal Article 1 of Chapter 16 of Division 3 of said code; to amend Sections 7001, 7038, 7041, 7067, 7075, 7081, 7092, 7112, 7115, and 7125 of said code; to amend the heading of Article 12 of Chapter 15 of Division 3 of said code; to add Sections 5009, 5153.3, 5158, 6907, 7031.1, 7037, 7037.1, 7037.2, 7037.3, 7094, 7096, and 7117 of said code, to add Articles 2, 5.5, and 11.6 to Chapter 15 of Division 3 of said code; and to add Article 1 to Chapter 16 of Division 3 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately."

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

Amendment No. 2

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

"SECTION 1. An act entitled "An act to repeal Section 10 of an act entitled 'An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code, and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved May 28, 1947 (Chapter 401, Statutes of 1947), to provide for the continuance in effect of an act entitled 'An act to amend Section 10 of an act entitled "An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately," approved May 28, 1947 (Chapter 401, Statutes of 1947); to repeal Sections 6713, 7039, 7052, 7064, 7068, 7117, 7120, 7128, and 7147 of the Education Code, to repeal Article 4 of Chapter 13, and Article 6 of Chapter 14, of Division 3 of said code; to add Article 4 to Chapter 13, Article 6 to Chapter 14, and Articles 1 and 13.5 to Chapter 15, of Division 3 of said code; to add Sections 5157, 7126, 7132, and 7151 to said code; to amend the headings of Articles 1 and 13 of Chapter 15 of Division 3 of said code; and to amend Sections 5152, 5153, 5156, 6703, 6714, 6812, 7002, 7012, 7023, 7032, 7033, 7034, 7035, 7036, 7037, 7038, 7041, 7061, 7062, 7063, 7067, 7681, 7091, 7092, 7094, 7095, 7101, 7103, 7111, 7112, 7113, 7114, 7115, 7116, 7121, 7122, 7124, 7130, 7146, 7146.1, 7148, 7149, 7150, 7208, 7231, and 9645 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved July 20, 1949 (Chapter 1017, Statutes of 1949), except Section 1 thereof; to repeal Sections 6714 and 7094 of the Education Code; to add Sections 5153.3 and 6904 to said code; and to amend Sections 7091, 7092, 7095, 7113, 7116, and 6951 of said code, to repeal Articles 2 and 3 of Chapter 15, Division 3 of said code and to add Articles 2 and 11.6 to Chapter 15, Division 3 of said code, all relating to the Public School System," approved May 5, 1950 (Chapter 74, Statutes 1950, First Extraordinary Session) and the several chapters, articles, and sections of the Education Code continued in effect by said act shall remain in effect as otherwise provided in this act or by any other act enacted by the 1951 Regular Session of the Legislature.

SEC. 1.5. This act may be cited as "The State School Fund Apportionment Act of 1951."

SEC. 2. Sections 2.5, 10, 12, and 13 of the act cited in Section 1 of this act are repealed.

SEC. 3. Sections 5153.3 and 7062 of the Education Code are repealed.

SEC. 4. Articles 2, 3 and 11.6 of Chapter 15, and Article 1 of Chapter 16, of Division 3 of said code are repealed.

SEC. 5. Section 5153.3 is added to said code, to read

5153.3. In addition there shall be provided:

(a) The amount apportioned by the Superintendent of Public Instruction under Article 11.6 of Chapter 15 of this division.

(b) Such of the amount allowed by the Superintendent of Public Instruction under Article 2 of Chapter 15 of this division as is in excess of the amount computed by multiplying the total average daily attendance in all schools and classes maintained by county superintendents of schools and by the elementary school districts, high school districts, and junior college districts of the State during the preceding fiscal year by two dollars ($2).

(c) The total of the amount allowed school districts by the Superintendent of Public Instruction under subdivision (a) of Section 7117.

(d) Seven hundred thousand dollars ($700,000) for apportionment to high school districts.

(e) One million eight hundred thousand dollars ($1,800,000) for apportionment to school districts pursuant to subdivision (b) of Section 7117.

SEC. 5.1. Section 5009 is added to said code, to read:

5009. The Department of Finance shall audit the books and accounts of school districts. In lieu of auditing the books and accounts of each school district, the Department of Finance may conduct such audits as it deems sufficient to determine the validity of the allocation of state funds for school purposes and to establish proper accountability and at such times as, in the judgment of the Department of Finance, will serve the best interests of the State, or the Department of Finance may accept a grand jury audit if the report covering such audit contains such statements and information as may be prescribed by the Department of Finance.

The Department of Finance shall render to the State Controller a report of all such audits, showing therein the findings, and the Controller shall make the necessary adjustments in future apportionments to the several school districts wherein such audits show that the same are necessary to correct any deficiencies or overages in the apportionment of state funds.

Nothing in this section shall be construed as authorizing the Department of Finance to examine into or report on the curriculum used or provided for in any school district.

SEC. 5.2. Section 5158 is added to said code, to read:

5158. The Department of Finance shall audit the books and accounts of school districts. In lieu of auditing the books and accounts of each school district, the Department of Finance may conduct such audits as it deems sufficient to determine the validity of the allocation of state funds for school purposes and to establish proper accountability and at such times as, in the judgment of the Department of Finance, will serve the best interests of the State, or the Department of Finance may accept a grand jury audit if the report covering such audit contains such statements and information as may be prescribed by the Department of Finance.

The Department of Finance shall render to the State Controller a report of all such audits, showing therein the findings, and the Controller shall make the necessary adjustments in future apportionments to the several school districts wherein such audits show that the same are necessary to correct any deficiencies or overages in the apportionment of state funds.

Nothing in this section shall be construed as authorizing the Department of Finance to examine into or report on the curriculum used or provided for in any school district.

SEC. 6. Section 6906 is repealed effective July 1, 1952.

SEC. 7. Section 6907 is added to said code, to read.

6907. If the average daily attendance of pupils residing in territory of a district, hereinafter referred to as the "original district", in the regular day schools of such original district during the fiscal year immediately preceding the effective date of the inclusion of such territory for all purposes in another district of the same type, hereinafter referred to as the "acquiring district", under or pursuant to any provision of law, exceeds 25 units, such average daily attendance shall, for all the purposes of this division, be deemed to have been average daily attendance in the regular day schools of the acquiring district and not average daily attendance in the regular day schools of the original district, except that if the acquiring district was not in existence for all purposes during said preceding fiscal year, such average daily attendance shall be deemed to have been average daily attendance in the regular day schools of the acquiring district during said preceding fiscal year.

The average daily attendance of pupils in the regular day junior colleges of a high school district during the fiscal year immediately preceding the effective date of the inclusion of such high school district in a junior college district shall, for all the purposes of this division, be deemed to be average daily attendance in regular day junior colleges of the junior college district during said preceding fiscal year and not average daily attendance in the regular day junior colleges of the high school district during said preceding fiscal year.

For the purposes of this section all elementary school districts are districts of the same type, all high school districts are districts of the same type, and all junior college districts are districts of the same type.

The inclusion of the whole or a portion of an elementary school district, high school district, or junior college district in a unified school district shall be deemed to be the inclusion of such elementary school district, high school district, or junior college

district or portion thereof in the elementary school district, high school district, or junior college district, as the case may be, within the unified school district

The Superintendent of Public Instruction shall, and is authorized so to do, adopt such rules and regulations as in his judgment are necessary to give effect to this section.

SEC. 8. Section 7001 of said code is amended to read:

7001. The Superintendent of Public Instruction shall during each fiscal year allow to the county school service fund of each county from the State School Fund such amount as the budget submitted by the county superintendent of schools and approved by the Superintendent of Public Instruction, under Section 7002, shows is necessary, but the total amount allowed by the Superintendent of Public Instruction under this section to all county school service funds *for supervision of instruction in all grades and classes of elementary school districts shall not exceed a sum determined by multiplying the total average daily attendance credited to all elementary school districts in the State during the preceding school year by one dollar and thirty cents ($1 30) and for all other purposes* shall not exceed a sum determined by multiplying the total average daily attendance in all kindergarten, elementary, high school and junior college schools during the preceding fiscal year by three dollars ($3).

SEC. 9 Article 2 is added to Chapter 15 of Division 3 of said code to read.

Article 2. Computation of Additional Allowances to School Districts and County School Service Funds for Transportation

7011. The Superintendent of Public Instruction shall not allow under this article during any fiscal year a total amount in excess of an amount computed by multiplying the total average daily attendance in the schools and classes maintained by county superintendents of schools and in the elementary school districts, high school districts, and junior college districts of the State during the preceding school year by three dollars ($3).

7011 1 The Superintendent of Public Instruction shall allow to each school district and county school service fund such amount as is required by this article.

7012 (a) "Transportation" as used in this article means, unless the context otherwise requires.

(1) The transportation of pupils between their homes and the schools attended by them as provided by a school district.

(2) The payment of moneys by a school district to parents or guardians of pupils in lieu of providing for the transportation of such pupils between their homes and the schools attended by them.

(3) The providing of board and lodging to pupils by a school district in lieu of providing for the transportation of such pupils between their homes and the schools attended by them.

(b) "Pupils" as used in this article does not include pupils for whom the Superintendent of Public Instruction is computing the excess cost of educating physically handicapped pupils under Chapter 9 of Division 4 includes in such excess costs the cost of transportation of such pupils.

7013 The Superintendent of Public Instruction shall make all allowances under this article during a fiscal year in accordance with regulations, not in conflict with this article, adopted by him, and he is hereby authorized and directed to adopt such regulations None of such regulations shall be binding upon any school district, but no allowance shall be made under this article to a school district for any item of current expense or capital outlay with respect to which the school district has failed to comply with the regulations of the Superintendent of Public Instruction applicable to such item

The regulations adopted by the Superintendent of Public Instruction hereunder shall, among other matters:

(a) Prescribe the records to be kept by, and reports to be made by, school districts

(b) Fix the minimum distances for the sole purpose of determining the total current expenses of a district for transportation.

(c) Determine what expenditures constitute "current expenses"

(d) Establish and prescribe formulae for the sole purpose of computing financial allowances under which school busses may be acquired in accordance with the provisions of Section 7017.

(e) Provide for the review and approval of all expenditures upon which allowances are computed.

(f) Establish and prescribe formulae for the sole purpose of computing financial allowances for reimbursement of replacement expenses incurred by a school district in replacing school busses.

7014 (a) He shall allow to each elementary school district, high school district, and junior college district, except as to any to which Section 7016 is applicable, which during the preceding fiscal year provided for the transportation of pupils, an amount which shall be computed as follows:

He shall determine the total current expenses of the district for such transportation during the preceding fiscal year. He shall then determine what rate of tax levied on each one hundred dollars ($100) of 90 percent of the assessed valuation of the

district as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount. If the computed rate of tax is more than two cents ($0.02) he shall allow to the district (a) 50 percent of the amount which would be produced by not more than eight cents ($0.08) of the computed tax rate less two cents ($0.02) and (b) 100 percent of the amount which would be produced by the computed tax rate in excess of eight cents ($0.08).

(b) He shall allow to each high school district maintaining a junior college, except as to any to which Section 7016 is applicable, which during the preceding fiscal year provided for the transportation of pupils, an amount which shall be computed as follows:

He shall determine the total current expenses of the districts for such transportation during the preceding fiscal year He shall then determine what rate of tax levied on each one hundred dollars ($100) of 90 percent of the assessed valuation of the district as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount. If the computed rate of tax is more than three cents ($0.03) he shall allow to the district (a) 50 percent of the amount which would be produced by not more than twelve cents ($0.12) of the computed tax rate less three cents ($0.03) and (b) 100 percent of the amount which would be produced by the computed tax rate in excess of twelve cents ($0.12).

7015. (a) He shall allow to each unified school district formed under the provisions of Chapter 16 of Division 2 of this code, the formation of which became effective on July 1, 1948, or thereafter, an amount equal to the total current expenses of the district during the preceding fiscal year for the transportation of pupils, determined by the Superintendent of Public Instruction to have been required because of a change of the location of schoolhouses or the reorganization of attendance centers within the district during such preceding fiscal year. No allowance shall be made under this paragraph subsequent to the close of the fifth fiscal year following that in which the district was formed and thereafter the provisions of the next paragraph shall control as to such district

He shall allow to each unified school district not maintaining a junior college which during the preceding fiscal year provided for the transportation of pupils, an amount which shall be computed as follows:

(b) He shall determine the total current expenses of the district for such transportation during the preceding fiscal year. He shall then determine what rate of tax levied on each one hundred dollars ($100) of 90 percent of the assessed valuation of the district as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount If the computed rate of tax is more than three cents ($0.03) he shall allow to the district (a) 50 percent of the amount which would be produced by not more than twelve cents ($0.12) of the computed tax rate less three cents ($0.03) and (b) 100 percent of the amount which would be produced by the computed tax rate in excess of twelve cents ($0.12).

(c) He shall allow to each unified school district maintaining a junior college which during the preceding fiscal year provided for the transportation of pupils, an amount which shall be computed as follows:

He shall determine the total current expenses of the district for such transportation during the preceding fiscal year He shall then determine what rate of tax levied on each one hundred dollars ($100) of 90 percent of the assessed valuation of the district as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount. If the computed rate of tax is more than four cents ($0.04) he shall allow to the district (a) 50 percent of the amount which would be produced by not more than sixteen cents ($0.16) of the computed tax rate less four cents ($0.04) and (b) 100 percent of the amount which would be produced by the computed tax rate in excess of sixteen cents ($0.16)

7016. He shall compute for each group of two or more school districts which have been continuously from a time prior to July 1, 1949, governed by boards of identical personnel during the preceding fiscal year and have maintained a single transportation system for all of such districts which provided for the transportation of pupils, an amount which shall be computed as follows:

He shall determine the total current expenses of the districts for such transportation during the preceding fiscal year

(a) He shall, if such group comprises an elementary school district and a high school district not maintaining a junior college and each district provided for the transportation of pupils, or comprises an elementary school district, a high school district, and a junior college district and each district except the junior college district provided for the transportation of pupils, or comprises a high school district and a junior college district and each district provided for the transportation of pupils, then determine what rate of tax levied on each one hundred dollars ($100) of 90 percent of the assessed valuation of that one of such districts providing for the transportation of pupils which has the largest assessed valuation as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed

tax rate, would, if levied, produce such amount. If the computed rate of tax is more than three cents ($0.03) he shall allow to the district (a) 50 percent of the amount which would be produced by not more than twelve cents ($0.12) of the computed tax rate less three cents ($0.03) and (b) 100 percent of the amount which would be produced by the computed tax rate in excess of twelve cents ($0.12).

(b) He shall, if such group comprises an elementary school district, and a high school district maintaining a junior college, each of which provided for the transportation of pupils, including those attending the junior college, or comprises an elementary school district, a high school district, and a junior college district, each of which provided for the transportation of pupils, then determine what rate of tax levied on each one hundred dollars ($100) of 90 percent of the assessed valuation of that one of such districts providing for the transportation of pupils which had the largest assessed valuation as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount. If the computed rate of tax is more than four cents ($0.04) he shall allow to the district (a) 50 percent of the amount which would be produced by not more than sixteen cents ($0.16) of the computed tax rate less four cents ($0.04) and (b) 100 percent of the amount which would be produced by the computed tax rate in excess of sixteen cents ($0.16)

He shall then allow to each district in the group the same ratio of the total amount computed for the group as the governing boards of the districts in the groups certify to him is the ratio the amount expended for such transportation in such district during the preceding fiscal year was of the total expenditures of all districts in the group for such transportation during the preceding fiscal year.

7017 In the case of a unified school district formed under Chapter 16 of Division 2 of this code, the formation of which became effective for all purposes on July 1, 1948, or thereafter, there shall be included in addition to the current costs of the district the cost of school busses for the first five fiscal years in which it purchases school busses determined by the Superintendent of Public Instruction to have been required because of changes in the location of schools or the reorganization of attendance centers within the district, the entire cost of such busses This paragraph shall not be effective as to any unified school district after the end of the fifth fiscal year succeeding the formation of the district.

7018 The Superintendent of Public Instruction in approving, under this article, current expenditures of school districts for the transportation of pupils shall apply the same standards and bases for such approval to expenditures for such transportation provided by a school district in school busses owned and operated by the school district and expenditures for such transportation provided by contract with a private party except that with respect to expenditures for transportation by contract with a private party, he shall make due allowance for all expenditures by the private party required of it by law and not required of a school district in connection with the operation of busses owned by the district.

7019. In the event the total amount which may be allowed under Section 7011 for allowance under this article during any fiscal year is less than the total allowances computed under this article for such fiscal year without regard to Section 7011, the amounts allowed shall be reduced in the ratio that the amount of such deficit bears to the amounts allowed.

SEC 10 Section 7031.1 is added to said code, to read:

7031 1. With respect to any unified school district which became effective for all purposes after July 1, 1950, the foundation program for such district as computed under this article shall be increased five dollars ($5) for each unit of average daily attendance in each of the first five fiscal years of its existence for all purposes.

SEC 11 Section 7037 of said code is repealed

SEC. 12 Section 7037 is added to said code, to read:

7037 For each high school district which had an average daily attendance during the preceding fiscal year of less than 301, he shall compute, except as otherwise provided, ten thousand eighty dollars ($10,080) for the first five units; five hundred four dollars ($504) for each of the sixth to sixty-second units, inclusive; three hundred thirty dollars ($330) for the sixty-third unit; one hundred sixty-six dollars ($166) for each of the sixty-fourth to one hundred thirtieth units, inclusive; and seventy-five dollars ($75) for each of the one hundred thirty-first to the three hundredth units, inclusive.

SEC 13 Section 7037 1 is added to said code, to read:

7037 1. For each high school district which maintained two or more high schools, he shall compute for the district an amount which shall be determined by allowing for each day high school having an average daily attendance of less than 301 the amount of which would otherwise be computed for the district under Section 7037 except that with respect to any such high school maintaining less than four years the amount computed for such high school shall be an amount determined by multiplying the number of units of average daily attendance of such high school by two hundred ten dollars

($210) or the following percentage of the amount computed under Section 7037.2, whichever amount is the larger:

(a) Fifty-five percent if the high school maintains but one year,

(b) Sixty-five percent if the high school maintains but two years, or

(c) Eighty percent if the high school maintains but three years.

No computation shall be made under this section for any high school established after July 1, 1952, without the approval of the Superintendent of Public Instruction.

SEC. 14. Section 7037.2 is added to said code, to read:

7037.2. For each high school district he shall multiply the number of units of average daily attendance, exclusive of the average daily attendance of a day high school having an average daily attendance of 301 or more by two hundred ten dollars ($210).

SEC. 15. Section 7037.3 is added to said code, to read:

7037.3. The amount by which the foundation program computed under Section 7037 or Section 7037.1 for a high school district exceeds the foundation program which would have been computed for such district by multiplying the number of units of average daily attendance of such district by two hundred ten dollars ($210) shall, beginning with the Fiscal Year 1954-1955, be reduced by an amount equal to 20 percent of the amount of such excess and for each of the four succeeding fiscal years by *an additional 20 percent except as to any high school district in which any one or more* of the following conditions obtain:

(a) If as many as five pupils residing in the district and attending grades 9 to 12, inclusive, would be required to travel more than 30 miles one way from a point on a well-traveled road nearest their home to the nearest other public high school, or

(b) If as many as 10 pupils residing in the district and attending grades 9 to 12, inclusive, would be required to travel more than 20 miles one way from a point *on a well-traveled road nearest their home to the nearest other public high school, or*

(c) If as many as 40 pupils residing in the district and attending grades 9 to 12, inclusive, would be required to travel more than 15 miles one way from a point on a well-traveled road nearest their home to the nearest other public high school.

If topographical or other conditions exist in a district which would impose unusual hardships if the number of miles specified was required to be traveled or if during the fiscal year the roads which would be traveled have been impassable for more than an average of two weeks per year for the preceding five years, the governing board of the district may, on or before April 1st, request the Superintendent of Public Instruction, in writing, for an exemption from such requirements or for a reduction in the miles required. The request shall be accompanied by a statement of the conditions upon which such request is based, giving such information in such form as the Superintendent of Public Instruction may require. The Superintendent of Public Instruction shall cause an investigation to be made, and he shall either grant such request to the extent deemed necessary by him or deny the request.

SEC. 16. Section 7038 of said code is amended to read:

7038. For each junior college district he shall multiply the number of units of average daily attendance in grades 13 and 14 computed for the district under Sections [6951, 6953, and 6961] *6961, 6963, and 6971*, subject to the provisions of Section 7149, by two hundred ten dollars ($210).

SEC. 17. Section 7041 of said code is amended to read:

7041. For the purposes of this article, the Superintendent of Public Instruction shall allow, in addition to all other allowances, to the county school service fund:

[(a) Two thousand four hundred dollars ($2,400), for supervision of instruction, to the county school service fund of each county for the first three hundred or major fraction of three hundred units of average daily attendance in the aggregate in all the elementary districts of the county, including union and joint union elementary school districts, having less than three hundred units of average daily attendance during the preceding fiscal year and in the emergency schools maintained within the elementary school districts of the county by the county superintendent of schools during the preceding fiscal year. Two thousand four hundred dollars ($2,400) for supervision of instruction shall be allowed to the fund for the next three hundred or any fraction of three hundred units of average daily attendance, and two thousand four hundred dollars ($2,400) shall be allowed to the fund for each succeeding three hundred or major fraction of three hundred units of average daily attendance.

(b) Two thousand four hundred dollars ($2,400), for supervision of instruction, to the county school service fund of the county for each five hundred or major fraction of five hundred units of average daily attendance in the aggregate in all the elementary school districts of the county, including union and joint union elementary school districts having an average daily attendance of three hundred or more but less than nine hundreds units of average daily attendance during the preceding fiscal year.

(c)] *(a)* For all emergency schools maintained in each elementary school district of the county by the county superintendent of schools during the preceding fiscal year, the same amount as he would compute as the foundation program of an elementary school district under Article 4 of this chapter.

[(d)] *(b) Two hundred ten dollars ($210)* [one hundred eighty-five dollars ($185)] for each unit of average daily attendance of physically handicapped pupils of

secondary grade educated by the county superintendent of schools during the preceding fiscal year.

SEC. 18. Article 5.5 is added to Chapter 15 of Division 3 of said code to read:

Article 5.5. Computation of Aid to County School Tuition Funds

7046. The Superintendent of Public Instruction shall allow to each county school tuition fund ninety dollars ($90) for each unit of average daily attendance of pupils residing in the county and attending school in an adjoining state during the preceding fiscal year.

SEC. 19. Section 7067 of said code is amended to read:

7067. He shall allow to each high school district ninety dollars ($90) for each unit of average daily attendance in the district during the preceding fiscal year as computed under Sections 6943, [6952, and 6961] *6962, and 6971*, subject to the provisions of Section 7148.

SEC. 20. Section 7075 of said code is amended to read:

7075. He shall allow to each junior college district ninety dollars ($90) for each unit of average daily attendance in grades 13 and 14 subject to the provisions of Section 7149 during the preceding fiscal year, to the district as computed for the district under Sections [6954 and 6961] *6963 and 6971*.

SEC. 20.1. Section 7081 of said code is amended to read:

7081. The Superintendent of Public Instruction shall then compute for each district described herein the amount which a tax levied on each one hundred dollars ($100) of 90 percent of the assessed valuation in such district as shown by the equalized assessment roll of the district for the preceding year would produce if levied, if such tax was:

(a) Forty-five cents ($0.45) in an elementary school district.

(b) [Thirty-two cents ($0.32)] *Forty cents ($0.40)* in a high school district.

(c) Twenty-two cents ($0.22) in a junior college district.

SEC. 21. Section 7112 of said code is amended to read:

7112. If the total amount allowed from the State School Fund to all high school districts and to all county school service funds under Articles 5, 7 and 10 of this chapter on account of the average daily attendance of pupils in high school districts and in schools or classes of high school grade maintained by county superintendents of schools is less than the total amount provided in the State School Fund on account of such average daily attendance *plus seven hundred thousand dollars ($700,000)*, minus an amount equal to the amounts allowed under Sections 7001 and 7011 on account of such average daily attendance plus one-fourth of the amount allowed under Section 7003, the balance shall be allowed by the Superintendent of Public Instruction to high school districts receiving State Equalization Aid during the then current fiscal year. The amount allowed each such district shall be in the ratio that the amount of the balance bears to the total amount computed as equalization aid for all high school districts, multiplied by the amount of equalization aid computed for the district.

SEC. 21.1. Section 7115 of said code is amended to read:

7115. If the total amount allowed from the State School Fund to all high school districts and to all county school service funds under Articles 5, 7 and 10 of this chapter on account of the average daily attendance of pupils in high school districts and in schools or classes of high school grade maintained by county superintendents of schools is larger than the total amount provided in the State School Fund on account of such average daily attendance *plus seven hundred thousand dollars ($700,000)*, minus an amount equal to the amounts allowed under Sections 7001 and 7011, on account of such average daily attendance plus one-fourth of the amount allowed under Section 7003, the amount allowed each such district as State Equalization Aid from the State School Fund shall be reduced in the ratio that the amount of the deficit bears to the total amount of equalization aid computed for all high school districts multiplied by the amount of equalization aid computed for the district.

SEC. 22. Section 7092 of said code is amended to read:

7092. The Superintendent of Public Instruction shall then compare the total of the amounts allowed to, and computed for, each high school district pursuant to Articles 7 and 9 of this chapter with the amount of the foundation program of school support computed for each such district pursuant to Article 4 of this chapter

If the total amount allowed to, and computed for, any high school district pursuant to Articles 7 and 9 of this chapter is less than the amount of the foundation program of school support computed for such district pursuant to Article 4 of this chapter, he shall add to the amount allowed to, and computed for, such district pursuant to Articles 7 and 9 of this chapter such additional amount, to be known as state equalization aid, as may be necessary to equal that computed for such district pursuant to Article 4 of this chapter.

Notwithstanding anything in this article to the contrary, the amount computed for any high school district under this article shall be not less than it would have been had the foundation program of school support for such district under Article 4 of this chapter been computed by multiplying the number of units of average daily attendance in the district during the preceding fiscal year as computed under Sections 6943, [6952, and 6961] *6962, and 6971* by two hundred [ten dollars ($210)] *sixty dollars ($260)* and had the tax used in making the computation for the district under Article 9 of this chapter been [fifty cents ($0.50)] *seventy-five cents ($0.75)*.

SEC. 23. Section 7094 is added to said code, to read:

7094. No state equalization aid shall be allowed to any high school district under this article during the Fiscal Year 1951-1952 unless, during the preceding fiscal year, there shall have been levied a tax for such district in an amount equal to thirty-two cents ($0.32) or more on 90 percent of each one hundred dollars ($100) of the assessed valuation in such district as shown by the equalized assessment roll of the district for the next preceding year and no high school district which has met the requirements of this section and is otherwise entitled to state equalization aid shall be denied such aid.

SEC. 24. Section 7096 is added to said code, to read:

7096. Notwithstanding anything in this chapter to the contrary, if under Section 6907 average daily attendance of an original district is credited to an acquiring district, the amounts allowed by the Superintendent of Public Instruction as state equalization aid to the original school district and to the acquiring school district during the first fiscal year in which an apportionment is made to the acquiring school district on account of such average daily attendance, shall be the amounts computed under this section. The Superintendent of Public Instruction shall divide the total amount of state equalization aid which would have been apportioned to the original school district during said fiscal year had this section not been in effect by the units of average daily attendance of the original school district for the preceding fiscal year prior to the crediting of any of such average daily attendance to the acquiring school district. He shall allow to the original school district as state equalization aid the amount computed by multiplying the resulting quotient by the units of average daily attendance of the district for the preceding fiscal year less the units credited to the acquiring school district. He shall allow the acquiring school district as state equalization aid the amount computed by multiplying the same quotient by the units of average daily attendance credited to the district under this section.

SEC. 25. Article 11.6 is added to Chapter 15 of Division 3 of said code, to read:

Article 11.6. Apportionment for Growth

7109. The Superintendent of Public Instruction shall apportion to each school district, in addition to all other apportionments made under this division, the sums allowed as herein provided.

7109.1. The governing board of each school district shall report to the Superintendent of Public Instruction during each fiscal year, as herein provided, the average daily attendance in the regular day schools of the district for all full school months in the fiscal year during (1) the period between July 1st and December 31st, inclusive, hereinafter referred to as the "first period," (2) the period between the end of the last full school month of the first period and May 31st, inclusive, hereinafter referred to as the "second period," and (3) for each of the same periods during the preceding fiscal year. Such report with respect to the first period shall be filed with the Superintendent of Public Instruction on or before the next succeeding January 15th and with respect to the second period shall be filed with the Superintendent of Public Instruction not later than the next succeeding June 10th. Each report shall be made in such form as shall be prescribed and furnished by the Superintendent of Public Instruction.

7109.2. The Superintendent of Public Instruction shall allow for each period referred to above, to each school district which was in existence for all purposes during the preceding fiscal year an amount which shall be computed as follows:

The average daily attendance in the regular day schools of the district during the period in the then current fiscal year and for the same period in the preceding fiscal year shall be computed in the manner prescribed in Chapter 14 of this division, except that in each case the divisor used shall bear the same ratio to the divisor required to be used under said Chapter 14 to determine the average daily attendance of the regular day schools of the district for the whole of the preceding fiscal year as the number of days the regular day schools of the district were maintained during the period bears to 175 and except that the computation of a day of attendance shall be determined according to the law in effect during said preceding fiscal year.

The Superintendent of Public Instruction shall apportion to each school district for each unit by which the average daily attendance for a period of the then current fiscal year exceeds that of the average daily attendance for the same period during the preceding fiscal year, an amount determined by dividing the total of the amounts allowed the district during the preceding fiscal year as basic state aid and state equalization aid, exclusive of amounts allowed under Section 7117, by the total average daily attendance of the district during the preceding fiscal year multiplied by the ratio of days the regular day schools of the district were maintained during said period of the then current fiscal year to 175.

7109.3. The Superintendent of Public Instruction shall allow, for each period referred to above, to each school district which was not in existence for all purposes during the preceding fiscal year an amount which shall be computed as follows:

The average daily attendance in the regular day schools of the district during the period in the then current fiscal year shall be computed in the manner prescribed in Chapter 14 of this division, except that the divisor used shall bear the same ratio which would have been required to be used under said Chapter 14 to determine the average daily attendance of the regular day schools of the district for the whole of the preceding fiscal year had such district been in existence for all purposes during the preceding fiscal year, as the number of days the regular day schools of the district were maintained during the period bears to 175 and except that the computation of a day of attendance shall be determined according to the law in effect during the preceding fiscal year.

The Superintendent of Public Instruction shall allow to each such district for each unit of average daily attendance so computed an amount determined by dividing the total of the amounts of basic state aid and state equalization aid which would have been apportioned to such district during the current fiscal year on account of such average daily attendance had such district been in existence for all purposes during the preceding fiscal year, multiplied by the ratio of days the regular day schools of the district were maintained to said period of the then current fiscal year to 175

In making any computation under Section 7081 for the purposes of this section, the assessed valuation of the district for the current year shall be used. Section 7095 is not applicable to districts coming within this section.

7109.4 For the purposes of this article all of the elementary school districts included in any union elementary school district, joint union elementary school district, or unified school district shall constitute a single elementary school district regardless of Section 7184, all of the high school districts included in any unified school district shall constitute a single high school district, and all of the junior college districts included in any unified school district shall constitute a single junior college district.

7109.5. The apportionment made on account of the first period shall be made not later than the next succeeding February 15th; the apportionment made on account of the second period shall be made not later than the next succeeding June 30th.

7109.6 The Superintendent of Public Instruction shall furnish an abstract of the apportionments made under this article to the State Controller, the Department of Finance, and to the county and city and county auditors, county and city and county treasurers, and county superintendents of schools of the several counties of the State having jurisdiction over the districts to which such apportionments are made.

7109.7 The Superintendent of Public Instruction shall certify each apportionment made by him under this article to the State Controller who shall draw his warrant during the fiscal year on the State School Fund in favor of the treasurer of the county having jurisdiction over the district for the amount of such apportionment.

7109.8 All money received by the treasurer of any county from an apportionment made under this article shall be immediately credited by the treasurer to the general fund of the district exactly as apportioned by the Superintendent of Public Instruction

SEC. 26 The heading of Article 12 of Chapter 15 of Division 3 of said code is amended to read:

Article 12 [Computation and Apportionment of State Equalization Balance]

Re-computation of Allowances

SEC. 27 Section 7117 is added to said code, to read:

7117. In addition to any and all other amounts allowed under this chapter, the Superintendent of Public Instruction shall allow to

(a) Each elementary and high school district an amount equal to 10 percent of the state equalization aid computed for the district

(b) For each unit of average daily attendance in the district during the preceding fiscal year an amount equal to the quotient derived by dividing one million eight hundred thousand dollars ($1,800,000) by the total average daily attendance in all school districts during the preceding fiscal year, or one dollar ($1), whichever is the lesser.

SEC. 27. Section 7125 of said code is amended to read:

7125. The Superintendent of Public Instruction shall apportion to the county high school tuition fund of each county the amount required to be allowed thereto by Section [7011] *7046*.

SEC. 28. Article 1 is added to Chapter 16 of Division 3 of said code, to read:

Article 1. County School Service Fund

7201. There is hereby established in the treasury of each county the "county school service fund."

7202. Whenever any of the terms "unapportioned county elementary school fund," "county elementary school supervision fund," or "unapportioned county high school funds" are used in this code or in any other law, said term shall be deemed to refer to and mean the "county school service fund" established by this chapter.

7203. During July or August of each year the county superintendent of schools shall transfer to the county school service fund 80 percent of any excessive balance or unnecessary surplus in any school fund of any elementary school district. Funds raised by school district taxes shall not be transferred

7204. The county auditor of any county, receiving money from the Government of the United States pursuant to any act of Congress providing for the distribution and payment to states and territories of a fixed and definite percentage of the money received by the Government of the United States from the forest reserves established therein, shall apportion 50 percent of the money received to the credit of the county school service fund of the county.

The money thus added to the county school service fund shall be apportioned by the county superintendent of schools in the same manner as other county school service fund money, except that all or any portion of the money thus apportioned to the credit of the county school service fund shall upon the request of the county superintendent of schools be transferred to the forest reserve school fund, which shall be used by the county superintendent of schools for the benefit of school districts of the county lying within or adjacent to the United States Forest Reserve. The fund is available for any purpose for which county funds may be spent.

7205 The county school service fund shall be employed by the county superintendent of schools to pay such charges against the fund as are provided in this code; and to provide with the approval of the county board of education (a) additional apportionments to any school district under his jurisdiction for current expenses which (1) has levied the maximum district tax specified in Section 6357 and in which the annual average current cost per pupil does not exceed the annual average current cost per pupil for all districts of the same type within the county or under the jurisdiction of the county superintendent of schools, or (2) which needs additional apportionments for current expenses because of temporary emergency conditions, and (b) additional apportionments to any school district under his jurisdiction for the transportation of pupils to and from school to meet temporary emergency conditions.

7206. The county superintendent of schools may:

(a) With the approval of the county board of education provide advisory services in school business administration, in maintenance of school buildings and grounds, and in the processing of special problems concerning credentials as designated by the State Department of Education.

(b) Pay actual and necessary travel expenses incurred, in connection with curricular and special services, by the county superintendent of schools, or by his designated staff members in accordance with regulations established by the Superintendent of Public Instruction.

The costs incurred under this section shall be paid out of the county school service fund.

7207. The county superintendent of schools shall, except as otherwise provided by this code, expend from the county school service fund all amounts apportioned to said fund for supervision of instruction, exclusively for the payment of the salaries and necessary expenses of supervisors to supervise instruction in the elementary school districts of the county having less than 900 units of average daily attendance during the next preceding fiscal year, and in any other elementary school districts of the county the governing board of which requests him to supervise instruction in the schools of such district, and for the furnishing of such clerical help, supplies, and equipment to the supervisors as the county superintendent of schools deems necessary. In the event of the inability of the county superintendent of schools to use such amounts advantageously during any fiscal year, the unexpended portion of such amounts may be used for other purposes of the county school service fund

7208 No moneys shall be expended from the county school service fund for any purpose in excess of the total proposed expenditures for such purpose as approved by the Superintendent of Public Instruction under Section 7001, without the approval of the Superintendent of Public Instruction.

SEC 30 It is the intent of the Legislature in enacting this act to continue in effect Chapters 2, 12, 13, 14, 15, and 16 of DIVISION 3, and Sections 8761, 8704, and 9645, of the Education Code as the same are now in effect except as said chapters or any article or articles, section or sections included therein, or the sections named herein, may be amended, added, repealed, added to, or otherwise affected by this act or any other act enacted by the 1951 Regular Session of the Legislature

SEC 31. This act shall remain in effect until July 1, 1953.

SEC. 32. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect, to become operative July 1, 1951 A statement of the facts constituting such necessity is as follows:

The existing law providing for the apportionment of the State School Fund for the support of the public kindergarten schools, elementary schools, and secondary schools will, because of Section 10 of Chapter 74, Statutes 1950 First Extraordinary Session, remain in effect only until July 1, 1951 It is essential that provision be made for the support of such schools beginning July 1, 1951, and it is therefore necessary that this act take effect immediately".

Amendment No. 3

On page 2 of said bill, as amended, strike out lines 2 to 24, inclusive; and strike out all of pages 3 to 12, inclusive.

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 2061 by the following vote:

AYES—Babbage, Beck, Hagen, Hinckley, Klocksiem, Lindsay, and Lyon—7.

NOES—Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kirkwood, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, and Waters—56.

Appointment of Committee on Conference Concerning Assembly Bill No. 2061

The Speaker announced the appointment of Messrs. Kirkwood, Beck, and Geddes as a Committee on Conference concerning Assembly Bill No. 2061.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

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

Assembly Bill No. 927
Assembly Bill No. 2372
Assembly Bill No. 2581
Assembly Bill No. 2706
Assembly Bill No 3121
Assembly Bill No 3122

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

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

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

Assembly Bill No. 453
Assembly Bill No. 2022
Assembly Bill No. 2712
Assembly Bill No. 3112
Assembly Bill No. 3205

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

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

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1534—An act to amend Section 2137.1 of the Business and Professions Code, relating to persons authorized to practice medicine and surgery in state institutions.

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

Assembly Bill No. 1534 ordered enrolled

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning.

Senate Bill No. 399—An act to amend Section 2110 of the Streets and Highways Code, relating to apportionments to counties payable from the Highway Users Tax Fund.

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

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 639—An act to amend Sections 4, 5, and 6 of the City Carriers' Act and Sections 3631, 3632, and 3634 of the Public Utilities Code, relating to city carriers.

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

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 640—An act to amend Sections 5, 6, and 7 of, and to add Section 3¼ to, the Highway Carriers' Act, relating to highway carriers.

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

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 3443—An act to amend Section 5501 of the Welfare and Institutions Code, relating to the commitment of sexual psychopaths, and declaring the urgency thereof, to take effect immediately.

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

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 2882—An act to add Section 14011 and Chapter 6 to Part 1 of Division 3 of Title 2 of the Government Code, to amend Sections 12001, 12100, 12150, 12300, 12302, 12400, 13002, 14002, 15003, 15603, and 18650 of said code, to amend Section 21 of the Agricultural Code, to amend Sections 213 and 230 of the Banking Code, to amend Sections 151, 6512, 7011, 10055, 18626.5 and 19433 of the Business and Professions Code, to amend Section 25301 of the Corporations Code, to amend Sections 141, 144.2, 20924, and 22003 of the Education Code, to amend Sections 213, 230, and 5201 of the Financial Code, to amend Section 10 of the Fish and Game Code, to amend Section 1732.6 of the Harbors and Navigation Code, to amend Sections 107.5 and 13101 of the Health and Safety Code, to amend Section 12902 of the Insurance Code, to amend Sections 51, 70.5, 77.5, 80, and 112 of the Labor Code, to amend Section 76 of the Military and Veterans Code, to amend Sections 5051 and 5076 of the Penal Code, to amend Section 3700 of the Political Code, to amend Section 501 of the Public Resources Code, to amend Section 304 of the Public Utilities Code, to amend Section 52 of the Streets and Highways Code, to amend Sections 105, 109 and 139.08 of the Vehicle Code, to amend Sections 130, 152, 1722 and 1723 of the Welfare and Institutions Code, to amend Section 10 of the Public Utilities Act, to amend Section 3 of the State Aeronautics Commission Act, to amend Sections 76 and 77 of the Unemployment Insurance Act, to amend Section 2 of an act entitled "An act to create the Franchise Tax Board, prescribing its powers, duties, jurisdictions, purposes, and functions and abolishing the Office of Franchise Tax Commissioner," approved July 25, 1949; to amend Section 2 of an act entitled "An act to provide for the salaries and expenses of the Building and Loan Commissioner, his attorney, deputies, examiners, accountants, appraisers and other assistants; to provide for the disposition of moneys in the 'Building and Loan Inspection Fund' created by Chapter 354 of the Statutes of 1911, as amended, and of moneys collected under the Building and Loan Association Act; and otherwise relating to the Building and Loan Commissioner, his assistants and employees, and to the regulation of building and loan associations," approved June 12, 1931, relating to the salaries of state officers.

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

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 2625—An act to amend Sections 736 and 736a of the Political Code and Sections 41 and 61 of the Code of Civil Procedure, relating to the salaries of justices of the Supreme Court and of the district courts of appeal.

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

Assembly Bill No. 2625 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 2211—An act to amend Sections 58501, 58577, and 58614 of, and to add Section 58615.5 to, and to repeal Section 58502 and Article 6, Chapter 2, Title 6, of the Government Code, and to repeal Sections 2206, 4704, 6407, 14003, 14405, and 14603, of the Health and Safety Code; and to repeal Section 1184 of the Military and Veterans Code; and to repeal Section 3.5 of the California Airport District Act; all relating to districts.

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

Assembly Bill No. 2211 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 584
Assembly Bill No. 841
Assembly Bill No. 1883
Assembly Bill No. 3451

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

Hon. Arthur H. Connolly, Jr., Presiding

At 3.55 p.m., Hon. Arthur H. Connolly, Jr., Member of the Assembly from the Twenty-first District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3434

Mr. Waters asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 3434, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3434—An act to add Article 1.5, comprising Sections 215 through 218, inclusive, to Chapter 2, Division 1 of the Streets and Highways Code, relating to the creation of a fund for the acquisition of property for highway purposes, and making an appropriation therefor.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3434?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 13, 1951, after "to", insert "amend Section 188.4 of, and to".

Amendment No. 2

In lines 3 and 4 of the title of said bill, as amended, strike out "creation of a fund for the acquisition of property for highway purposes", and insert "State Highway System".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 3 of said bill, as amended, after line 5, insert

"SEC. 2. Section 188.4 of the Streets and Highway Code is *amended to read:*

188.4. Out of the money expended pursuant to Section 188, the commission shall allocate and the department shall expend or cause to be expended in each county of County Group No. 1 and in each county of County Group No 2 during each of the five-year periods commencing and ending, respectively, July 1, 1947, to June 30, 1952, July 1, 1952, to June 30, 1957, [and] July 1, 1957, to June 30, 1962, *and July 1, 1962, to June 30, 1967*, not less than an amount computed as follows:

(a) The commission shall compute for each five-year period an amount equal to the respective percentage hereinafter specified of the moneys to be expended in County Groups No 1 and 2, respectively, as provided in Section 188:

Period	Percentage
July 1, 1947-June 30, 1952	50
July 1, 1952-June 30, 1957	55
July 1, 1957-June 30, 1962	65
July 1, 1962- June 30, 1967	*65*

(b) From the amount computed for County Group No. 1 in subdivision (a) the commission shall determine the minimum expenditure for each county specified in this subdivision by applying the following percentages of said amount:

Alameda	20.721	Nevada	.839
Alpine	.410	Placer	1.595
Amador	.741	Plumas	.473
Butte	1 108	Sacramento	2.988
Calaveras	.632	San Benito	.474
Colusa	.577	San Francisco	18.688
Contra Costa	4 100	San Joaquin	2 850
Del Norte	.521	San Mateo	3.147
El Dorado	.649	Santa Clara	3 055
Fresno	2 646	Santa Cruz	1.443
Glenn	.518	Shasta	1.769
Humboldt	2 804	Sierra	.227
Kings	.529	Siskiyou	1.582
Lake	.631	Solano	1.732
Lassen	.391	Sonoma	2.735
Madera	.950	Stanislaus	2.162
Marin	1.707	Sutter	.508
Mariposa	874	Tehama	1.042
Mendocino	2 423	Trinity	.351
Merced	1.881	Tuolumne	.717
Modoc	.549	Yolo	2.242
Monterey	2 604	Yuba	.696
Napa	719		

(c) From the amount computed for county group two in subdivision (a) the commission shall determine the minimum expenditure for each county specified in this subdivision by applying the following percentages of said amount:

Imperial	1 454	San Bernardino	6 396
Inyo	.319	San Diego	6 092
Kern	4.759	San Luis Obispo	3 998
Los Angeles	52.100	Santa Barbara	5.524
Mono	.262	Tulare	2.584
Orange	8.114	Ventura	3.725
Riverside	4.673		

(d) In the event the department expends for construction and acquisition of rights of way in any county during any of said five-year periods a larger sum than that required under subdivisions (b) or (c), the excess may be credited against the required expenditure for a subsequent five-year period.

(e) Any sum expended under a construction contract awarded during any of said five-year periods shall be deemed for purposes of this section to be an expenditure made within said five-year period in which the contract was awarded."

Amendment No. 4

On page 2, line 21, of the printed bill, as amended in the Senate on June 20, 1951, after "Treasury", insert ", but not to exceed five million dollars ($5,000,000) in any one year,".

Speaker Pro Tempore Presiding

At 4 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Demand for Previous Question

Messrs. Hinckley, Luckel, Klocksiem, Munnell, and Lincoln demanded the previous question.

Demand for previous question sustained.

The question being on the concurrence in Senate amendments to Assembly Bill No. 3434.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Waters moved a call of the Assembly.

Motion carried. Time, 4.10 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brady, Brown, Sam L. Collins, Dunn, Gubser, Hawkins, Kirkwood, Lipscomb, McMillan, Parker, Porter, and Rosenthal—12.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Geddes asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 22, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GENTLEMEN: The First Annual Report of the State School Building Finance Committee has today been received by me.

In accordance with Section 5112 of the Education Code this report is herewith transmitted to you.

Respectfully,

EARL WARREN, Governor

State of California

STATE SCHOOL BUILDING FINANCE COMMITTEE
FIRST ANNUAL REPORT

May 31, 1951

STATE SCHOOL BUILDING FINANCE COMMITTEE
Chairman: EARL WARREN, Governor

Vice-Chairman: JAMES S. DEAN, Director of Finance
Secretary: ROY E. SIMPSON, Director of Education
Member: CHARLES G JOHNSON, State Treasurer
Member. THOMAS H. KUCHEL, State Controller

Interim Investigating Committee

JESSE M. MAYO
Senator, 26th District
HAROLD T. JOHNSON
Senator, 7th District
W. P. RICH
(Senator, 10th District, Retired)
FRANCES DUNN, JR
Assemblyman, 13th District
ROBERT C. KIRKWOOD
Assembyman, 28th District

FIRST ANNUAL REPORT OF THE STATE SCHOOL BUILDING FINANCE COMMITTEE

(Activities Through May 31, 1951)

Membership and Duties of Committee

The State School Building Finance Committee determines the amount and terms of State bonds to be issued for financing state aided school construction under the State School Building Aid Act (Chapter 1.6 of Division 3 of the Education Code). The committee is empowered by Chapter 1.7 of Division 3, Education Code, to issue up to 250 million dollars in bonds authorized by Section 15 of Article XVI of the Constitution. Bond proceeds are apportioned to eligible school districts by the State Allocation Board.

The committee, created by the Legislature in 1949, consists of the Governor, Director of Finance, Director of Education, State Treasurer, and State Controller. Meeting with the committee in an advisory capacity are two Members of the Senate and two Members of the Assembly who constitute an Interim Investigating Committee on State School Building Bonds.

Need for State School Building Bonds

By May 31, 1951, the State Allocation Board had received applications for State School Building aid from 349 school districts for assistance totaling 246 million dollars The board has approved applications for 214 million dollars in state aid and has so far apportioned 81 million dollars towards the amount requested in approved applications The balance of the 214 million dollars is expected to be apportioned as needed by school districts to complete projects approved by the board Additional amounts will be needed for applications on hand and awaiting board approval.

Bonds Issued

The State Allocation Board has so far requested the State School Building Finance Committee to approve the issuance of bonds totaling 150 million dollars to provide funds for apportionments to school districts, stating that additional requests would be submitted as needs arose.

The issuance and sale of three blocks of bonds, totaling 50 million dollars each, have so far been approved by the committee and the proceeds made available to the State Allocation Board.

All bonds sold so far have commanded favorable interest rates The first issue, Series A, was sold on May 3, 1950, at an effective interest rate of 1 74 percent Series B bonds were sold September 7, 1950, at an effective interest rate of 1 76 percent, and Series C bonds, sold May 4, 1951, have an effective rate of 1.84 percent.

Bonds in the three series are to be redeemed over a period of 26 years from date of issuance with approximately equal amounts maturing each year The first bonds

(Series A) mature on May 1, 1952 All bonds so far issued will mature on or before May 1, 1977.

A Summary of the Public School Building Loan Fund and a Statement of Bonds Issued and Sold, both as of May 31, 1951, are attached.

Submitted for

ROY E SIMPSON, Secretary
By H. H. JAQUETH, Executive Officer
State Allocation Board

Summary
Public School Building Loan Fund
As of May 31, 1951
Current Status of Fund

Receipts		
Principal Amount from Sale of Bonds	$150,000,000.00	
Premiums Paid by Purchasers of Bonds and Interest Earned on Investment of Bond Proceeds	1,508,169 27	
Gross Receipts		$151,508,169.27
Less: Cost of Bond Sales	$20,855 59	
Less. Other Administrative Expenses	204,680 06	
Less: Premiums and Interest Reserved for Bond Redemption (Trf. to Gen Fund)	1,508,169 27	
Net Receipts		$149,774,464 35
Disbursements and Encumbrances		
Progress Payments on Projects of School Districts	$16,752,694.57	
Balance of Apportionments (to be Paid as Needed)	64,520,445.56	
Total, Disbursed or Encumbered by Apportionments **		$81,273 140 13
Balance Available for Apportionment **		$68,501,324 22
Bond Funds that can be Made Available for Future Apportionments		
Balance Available for Apportionment **	$68,501,324 22	
Additional Bonds Permitted by Law to be Issued	100,000,000 00	
Total		$168,501,324 22
Apportionments Pending		
Unapportioned Balance on Applications Approved by State Allocation Board	$132,920,646 94	
Applications on File and Awaiting Approval	31,929,058.60	
Total		$164,849,705.54

** Law limits rate at which apportionments may be made to an initial $100 million by October 5, 1950, and $5 million per month thereafter Maximum amount that may be apportioned by May 31, 1951, is $135 million

NOTE All figures are as shown on records of Department of Finance

Statement of Bonds Issued and Sold
State School Building Finance Committee
May 31, 1951

Item	*Series A*	*Series B*	*Series C*
Date of Request by State Allocations Board	Dec. 12, 1949	June 15, 1950	Jan. 9, 1951
Date of Resolution by State School Building Finance Committee Authorizing Issue	Feb. 9, 1950	June 19, 1950	Feb. 15, 1951
Principal Amount of Bonds in Each Issue	$50,000,000	$50,000,000	$50,000,000
Date of Issuance	May 1, 1950	Sept. 1, 1950	May 1, 1951
Date of Bond Sale	May 3, 1950	Sept. 7, 1950	April 4, 1951
Names of Bidders	First Nat'l Bank of Chicago Bank of America Bankers Trust Co Syndicate	Bank of America Syndicate Bankers Trust Co. Syndicate	Bank of America Syndicate Bankers Trust Co. Syndicate
Name of Successful Bidder	Bankers Trust Co Syndicate	Bankers Trust Co. Syndicate	Bank of America Syndicate
Average Rate of Interest Bid by Successful Bidder	1.74%	1.76%	1 84%
Date on which Bonds were Delivered	June 5, 1950	Oct 3, 1950	May 1, 1951
Date of Maturity of Earliest Bonds Maturing in Each Issue	May 1, 1952	Nov. 1, 1952	May 1, 1953
Date of Maturity of Last Bonds Maturing in Each Issue	May 1, 1976	Nov. 1, 1976	May 1, 1977

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 207
House Resolution No. 240
House Resolution No. 243

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 1071—An act to amend Section 50¾ of, and to add Section 52 1 to, the Public Utilities Act, and to amend Section 1066 of, and to add Sections 706, 707, 708, and 816.5 to, the Public Utilities Code, relating to public utilities.

consisting of the undersigned members, has met, and could not reach an agreement

REGAN	DAVIS
COLLIER	LYON
BROWN	EVANS
Senate Committee on Conference	Assembly Committee on Conference

Appointment of Second Committee on Conference Concerning Assembly Bill No. 1071

The Speaker announced the appointment of Messrs. Moss, Hagen, and Levering as a Second Committee on Conference concerning Assembly Bill No. 1071.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1985

Mr Geddes asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1985, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1985—An act to repeal Chapters 2 and 15 of Division 3 of the Education Code, to repeal Article 1 of Chapter 16 of Division 3 of said code, to repeal Section 6851.1 of said code, to amend Section 6841 of said code, to add Chapters 2 and 15 to Division 3 of said code, to add Article 1 to Chapter 16 of Division 3 of said code, and to add Section 6905 to said code, all relating to the Public School System.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1985?

Amendment No. 1

Strike out the title of the printed bill, as amended in the Assembly on May 14, 1951, and insert

"An act to continue in effect an act entitled "An act to repeal Section 10 of an act entitled 'An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved May 28, 1947 (Chapter 401, Statutes of 1947), to provide for the continuance in effect of an act entitled 'An act to amend Section 10 of an act entitled "An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code, to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately," approved May 28, 1947 (Chapter 401, Statutes of 1947); to repeal Sections 6713, 7039, 7052, 7064, 7068, 7117, 7126, 7128, and 7147 of the Education Code; to repeal Article 4 of Chapter 13, and Article 6 of Chapter 14, of Division 3 of said code; to add Article 4 to Chapter 13, Article 6 to Chapter 14, and Articles 1 and 13.5 to Chapter 15, of Division 3 of said code; to add Sections 5157, 7126, 7132, and 7151 to said code; to amend the headings of Articles 1 and 13 of Chapter 15 of Division 3 of said code, and to amend Sections 5152, 5153, 5156, 6703, 6714, 6812, 7002, 7012, 7023, 7032, 7033, 7034, 7035, 7036, 7037, 7038, 7041, 7061, 7062, 7063, 7067, 7081, 7091, 7092, 7094, 7095, 7101, 7103, 7111, 7112, 7113, 7114, 7115, 7116, 7121, 7122, 7124, 7130, 7146, 7146.1, 7148, 7149, 7150, 7208, 7231, and 9645 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved July 20, 1949 (Chapter 1017, Statutes of 1949), except Section 1 thereof; to repeal Sections 6714 and 7094 of the Education Code; to add Sections 5153.3 and 6904 to said code; and to amend Sections 7091, 7092, 7095, 7113, 7116, and 6951 of said code, to repeal Articles 2 and 3 of Chapter 15, Division 3 of said code and to add Articles 2 and 11.6 to Chapter 15, Division 3 of said code all relating to the Public School System," approved May 5, 1950 (Chapter 74, Statutes 1950 First Extraordinary Session), and the several chapters, articles, and sections of the Education Code continued in effect by said act, except as otherwise provided in this act or in any other act enacted by the 1951 Regular Session of the Legislature; to repeal Sections 2.5, 10, 12, and 13 of said act; to repeal Sections 5153.3, 6906, 7037, and 7062 of the Education Code; to repeal Articles 2, 3, and 11.6 of Chapter 15 of Division 3 of said code; to repeal Article 1 of Chapter 16 of Division 3 of said code; to amend Sections 7001, 7038, 7041, 7067, 7075, 7081, 7092, 7112, 7115, and 7125 of said code; to amend the heading of Article 12 of Chapter 15 of Division 3 of said code, to add Sections 5009, 5153.3, 5158, 6907, 7031.1, 7037, 7037.1, 7037.2, 7037.3, 7094, 7096, and 7117 of said code; to add Articles 2, 5.5, and 11.6 to Chapter 15 of Division 3 of said code; and to add Article 1 to Chapter 16 of Division 3 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, as amended, strike out line 1, and insert

"SECTION 1. An act entitled "An act to repeal Section 10 of an act entitled 'An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code, to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved May 28, 1947 (Chapter 401, Statutes of 1947), to provide for the continuance in effect of an act entitled 'An act to amend Section 10 of an act entitled 'An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code, to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately," approved May 28, 1947 (Chapter 401, Statutes of 1947)'; to repeal Sections 6713, 7039, 7052, 7064, 7068, 7117, 7126, 7128, and 7147 of the Education Code; to repeal Article 4 of Chapter 13, and Article 6 of Chapter 14, of Division 3 of said code; to add Article 4 to Chapter 13, Article 6 to Chapter 14, and Articles 1 and 13.5 to Chapter 15, of Division 3 of said code; to add Sections 5157, 7126, 7132, and 7151 to said code; to amend the headings of Articles 1 and 13 of Chapter 15 of Division 3 of said code; and to amend Sections 5152, 5153, 5156, 6703, 6714, 6812, 7002, 7012, 7023, 7032, 7033, 7034, 7035, 7036, 7037, 7038, 7041, 7061, 7062, 7063, 7067, 7081, 7091, 7092, 7094, 7095, 7101, 7103, 7111, 7112, 7113, 7114, 7115, 7116, 7121, 7122, 7124, 7130, 7146, 7146.1, 7148, 7149, 7150, 7208, 7231, and 9645 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved July 20, 1949 (Chapter 1017, Statutes of 1949), except Section 1 thereof; to repeal Sections 6714 and 7094 of the Education Code; to add Sections 5153.3 and 6904 to said code; and to amend Sections 7091, 7092, 7095, 7113, 7116, and 6951 of said code, to repeal Articles 2 and 3 of Chapter 15, Division 3 of said code and to add Articles 2 and 11.6 to Chapter 15, Division 3 of said code all relating to the Public School System approved May 5, 1950 (Chapter 74, Statutes 1950, First Extraordinary Session) and the several chapters, articles, and sections of the Education Code continued in effect by said act shall remain in effect as otherwise provided in this act or by any other act enacted by the 1951 Regular Session of the Legislature.

SEC. 1.5. This act may be cited as "The State School Fund Apportionment Act of 1951."

SEC. 2. Sections 2.5, 10, 12, and 13 of the act cited in Section 1 of this act are repealed.

SEC. 3. Sections 5153.3 and 7062 of the Education Code are repealed.

SEC. 4. Articles 2, 3 and 11.6 of Chapter 15, and Article 1 of Chapter 16, of Division 3 of said code are repealed.

SEC. 5. Section 5153.3 is added to said code, to read:

5153.3. In addition there shall be provided:

(a) The amount apportioned by the Superintendent of Public Instruction under Article 11.6 of Chapter 15 of this division.

(b) Such of the amount allowed by the Superintendent of Public Instruction under Article 2 of Chapter 15 of this division as is in excess of the amount computed by multiplying the total average daily attendance in all schools and classes maintained by county superintendents of schools and by the elementary school districts, high school districts, and junior college districts of the State during the preceding fiscal year by two dollars ($2).

(c) The total of the amount allowed school districts by the Superintendent of Public Instruction under subdivision (a) of Section 7117.

(d) Seven hundred thousand dollars ($700,000) for apportionment to high school districts.

(e) One million eight hundred thousand dollars ($1,800,000) for apportionment to school districts pursuant to subdivision (b) of Section 7117.

SEC. 5.1. Section 5009 is added to said code, to read:

5009. The Department of Finance shall audit the books and accounts of school districts. In lieu of auditing the books and accounts of each school district, the Department of Finance may conduct such audits as it deems sufficient to determine the validity of the allocation of state funds for school purposes and to establish proper accountability and at such times as, in the judgment of the Department of Finance, will serve the best interests of the State, or the Department of Finance may accept a grand jury audit if the report covering such audit contains such statements and information as may be prescribed by the Department of Finance.

The Department of Finance shall render to the State Controller a report of all such audits, showing therein the findings, and the Controller shall make the necessary

adjustments in future apportionments to the several school districts wherein such audits show that the same are necessary to correct any deficiencies or overages in the apportionment of state funds

Nothing in this section shall be construed as authorizing the Department of Finance to examine into or report on the curriculum used or provided for in any school district.

SEC. 5 2. Section 5158 is added to said code, to read:

5158. The Department of Finance shall audit the books and accounts of school districts. In lieu of auditing the books and accounts of each school district, the Department of Finance may conduct such audits as it deems sufficient to determine the validity of the allocation of state funds for school purposes and to establish proper accountability and at such times as, in the judgment of the Department of Finance, will serve the best interests of the State, or the Department of Finance may accept a grand jury audit if the report covering such audit contains such statements and information as may be prescribed by the Department of Finance

The Department of Finance shall render to the State Controller a report of all such audits, showing therein the findings, and the Controller shall make the necessary adjustments in future apportionments to the several school districts wherein such audits show that the same are necessary to correct any deficiencies or overages in the apportionment of state funds.

Nothing in this section shall be construed as authorizing the Department of Finance to examine into or report on the curriculum used or provided for in any school district

SEC. 6. Section 6906 is repealed effective July 1, 1952.

SEC. 7. Section 6907 is added to said code, to read:

6907 If the average daily attendance of pupils residing in territory of a district, hereinafter referred to as the "original district", in the regular day schools of such original district during the fiscal year immediately preceding the effective date of the inclusion of such territory for all purposes in another district of the same type, hereinafter referred to as the "acquiring district", under or pursuant to any provision of law, exceeds 25 units, such average daily attendance shall, for all the purposes of this division, be deemed to have been average daily attendance in the regular day schools of the acquiring district and not average daily attendance in the regular day schools of the original district, except that if the acquiring district was not in existence for all purposes during said preceding fiscal year, such average daily attendance shall be deemed to have been average daily attendance in the regular day schools of the acquiring district during said preceding fiscal year

The average daily attendance of pupils in the regular day junior colleges of a high school district during the fiscal year immediately preceding the effective date of the inclusion of such high school district in a junior college district shall, for all the purposes of this division, be deemed to be average daily attendance in regular day junior colleges of the junior college district during said preceding fiscal year and not average daily attendance in the regular day junior colleges of the high school district during said preceding fiscal year.

For the purposes of this section all elementary school districts are districts of the same type, all high school districts are districts of the same type, and all junior college districts are districts of the same type

The inclusion of the whole or a portion of an elementary school district, high school district, or junior college district in a unified school district shall be deemed to be the inclusion of such elementary school district, high school district, or junior college district or portion thereof in the elementary school district, high school district, or junior college district, as the case may be, within the unified school district.

The Superintendent of Public Instruction shall, and is authorized so to do, adopt such rules and regulations as in his judgment are necessary to give effect to this section.

SEC 8. Section 7001 of said code is amended to read

7001 The Superintendent of Public Instruction shall during each fiscal year allow to the county school service fund of each county from the State School Fund such amount as the budget submitted by the county superintendent of schools and approved by the Superintendent of Public Instruction, under Section 7002, shows is necessary, but the total amount allowed by the Superintendent of Public Instruction under this section to all county school service funds *for supervision of instruction in all grades and classes of elementary school districts shall not exceed a sum determined by multiplying the total average daily attendance credited to all elementary school districts in the State during the preceding school year by one dollar and thirty cents ($1 30) and for all other purposes* shall not exceed a sum determined by multiplying the total average daily attendance in all kindergarten, elementary, high school and junior college schools during the preceding fiscal year by three dollars ($3).

SEC. 9. Article 2 is added to Chapter 15 of Division 3 of said code, to read:

Article 2. Computation of Additional Allowances to School Districts and County School Service Funds for Transportation

7011. The Superintendent of Public Instruction shall not allow under this article during any fiscal year a total amount in excess of an amount computed by multiplying the total average daily attendance in the schools and classes maintained by county superintendents of schools and in the elementary school districts, high school districts, and junior college districts of the State during the preceding school year by three dollars ($3).

7011 1. The Superintendent of Public Instruction shall allow to each school district and county school service fund such amount as is required by this article

7012. (a) "Transportation" as used in this article means, unless the context otherwise requires:

(1) The transportation of pupils between their homes and the schools attended by them as provided by a school district.

(2) The payment of moneys by a school district to parents or guardians of pupils in lieu of providing for the transportation of such pupils between their homes and the schools attended by them

(3) The providing of board and lodging to pupils by a school district in lieu of providing for the transportation of such pupils between their homes and the schools attended by them.

(b) "Pupils" as used in this article does not include pupils for whom the Superintendent of Public Instruction in computing the excess cost of educating physically handicapped pupils under Chapter 9 of Division 4 includes in such excess costs the cost of transportation of such pupils.

7013. The Superintendent of Public Instruction shall make all allowances under this article during a fiscal year in accordance with regulations, not in conflict with this article, adopted by him, and he is hereby authorized and directed to adopt such regulations. None of such regulations shall be binding upon any school district, but no allowance shall be made under this article to a school district for any item of current expense or capital outlay with respect to which the school district has failed to comply with the regulations of the Superintendent of Public Instruction applicable to such item.

The regulations adopted by the Superintendent of Public Instruction hereunder shall, among other matters:

(a) Prescribe the records to be kept by, and reports to be made by, school districts.

(b) Fix the minimum distances for the sole purpose of determining the total current expenses of a district for transportation.

(c) Determine what expenditures constitute "current expenses"

(d) Establish and prescribe formulae for the sole purpose of computing financial allowances under which school busses may be acquired in accordance with the provisions of Section 7017.

(e) Provide for the review and approval of all expenditures upon which allowances are computed.

(f) Establish and prescribe formulae for the sole purpose of computing financial allowances for reimbursement of replacement expenses incurred by a school district in replacing school busses.

7014 (a) He shall allow to each elementary school district, high school district, and junior college district, except as to any to which Section 7016 is applicable, which during the preceding fiscal year provided for the transportation of pupils, an amount which shall be computed as follows:

He shall determine the total current expenses of the district for such transportation during the preceding fiscal year He shall then determine what rate of tax levied on each one hundred dollars ($100) of 90 percent of the assessed valuation of the district as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount If the computed rate of tax is more than two cents ($0 02) he shall allow to the district (a) 50 percent of the amount which would be produced by not more than eight cents ($0.08) of the computed tax rate less two cents ($0.02) and (b) 100 percent of the amount which would be produced by the computed tax rate in excess of eight cents ($0 08).

(b) He shall allow to each high school district maintaining a junior college, except as to any to which Section 7016 is applicable, which during the preceding fiscal year provided for the transportation of pupils, an amount which shall be computed as follows

He shall determine the total current expenses of the districts for such transportation during the preceding fiscal year. He shall then determine what rate of tax levied on each one hundred dollars ($100) of 90 percent of the assessed valuation of the district as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount. If the computed rate of tax is more than three cents ($0 03) he shall allow to the district (a) 50 percent of the amount which would be produced

by not more than twelve cents ($0.12) of the computed tax rate less three cents ($0.03) and (b) 100 percent of the amount which would be produced by the computed tax rate in excess of twelve cents ($0.12).

7015. (a) He shall allow to each unified school district formed under the provisions of Chapter 16 of Division 2 of this code, the formation of which became effective on July 1, 1948, or thereafter, an amount equal to the total current expenses of the district during the preceding fiscal year for the transportation of pupils, determined by the Superintendent of Public Instruction to have been required because of a change of the location of schoolhouses or the reorganization of attendance centers within the district during such preceding fiscal year. No allowance shall be made under this paragraph subsequent to the close of the fifth fiscal year following that in which the district was formed and thereafter the provisions of the next paragraph shall control as to such district.

He shall allow to each unified school district not maintaining a junior college which during the preceding fiscal year provided for the transportation of pupils, an amount which shall be computed as follows:

(b) He shall determine the total current expenses of the district for such transportation during the preceding fiscal year. He shall then determine what rate of tax levied on each one hundred dollars ($100) of 90 percent of the assessed valuation of the district as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount If the computed rate of tax is more than three cents ($0.03) he shall allow to the district (a) 50 percent of the amount which would be produced by not more than twelve cents ($0.12) of the computed tax rate less three cents ($0.03) and (b) 100 percent of the amount which would be produced by the computed tax rate in excess of twelve cents ($0.12).

(c) He shall allow to each unified school district maintaining a junior college which during the preceding fiscal year provided for the transportation of pupils, an amount which shall be computed as follows

He shall determine the total current expenses of the district for such transportation during the preceding fiscal year. He shall then determine what rate of tax levied on each one hundred dollars ($100) of 90 percent of the assessed valuation of the district as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount. If the computed rate of tax is more than four cents ($0.04) he shall allow to the district (a) 50 percent of the amount which would be produced by not more than sixteen cents ($0.16) of the computed tax rate less four cents ($0.04) and (b) 100 percent of the amount which would be produced by the computed tax rate in excess of sixteen cents ($0.16)

7016 He shall compute for each group of two or more school districts which have been continuously from a time prior to July 1, 1949, governed by boards of identical personnel during the preceding fiscal year and have maintained a single transportation system for all of such districts which provided for the transportation of pupils, an amount which shall be computed as follows:

He shall determine the total current expenses of the district for such transportation during the preceding fiscal year.

(a) He shall, if such group comprises an elementary school district and a high school district not maintaining a junior college and each district provided for the transportation of pupils, or comprises an elementary school district, a high school district, and a junior college district and each district except the junior college district provided for the transportation of pupils, or comprises a high school district and a junior college district and each district provided for the transportation of pupils, then determine what rate of tax levied on each one hundred dollars ($100) of 90 percent of the assessed valuation of that one of such districts providing for the transportation of pupils which has the largest assessed valuation as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount. If the computed rate of tax is more than three cents ($0.03) he shall allow to the district (a) 50 percent of the amount which would be produced by not more than twelve cents ($0.12) of the computed tax rate less three cents ($0.03) and (b) 100 percent of the amount which would be produced by the computed tax rate in excess of twelve cents ($0.12).

(b) He shall, if such group comprises an elementary school district, and a high school district maintaining a junior college, each of which provided for the transportation of pupils, including those attending the junior college, or comprises an elementary school district, a high school district, and a junior college district, each of which provided for the transportation of pupils, then determine what rate of tax levied on each one hundred dollars ($100) of 90 percent of the assessed valuatoin of that one of such districts providing for the transportation of pupils which had the largest assessed valuation as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount. If the computed rate of tax is more than four cents ($0.04) he shall allow to the district (a) 50 percent of the amount which would be produced by not more than sixteen cents ($0.16) of the computed tax rate less four cents ($0.04) and (b) 100 percent of the amount which would be produced by the computed tax rate in excess of sixteen cents ($0.16).

He shall then allow to each district in the group the same ratio of the total amount computed for the group as the governing boards of the districts in the groups certify to him is the ratio the amount expended for such transportation in such district during the preceding fiscal year was of the total expenditures of all districts in the group for such transportation during the preceding fiscal year.

7017. In the case of a unified school district formed under Chapter 16 of Division 2 of this code, the formation of which became effective for all purposes on July 1, 1948, or thereafter, there shall be included in addition to the current costs of the district the cost of school busses for the first five fiscal years in which it purchases school busses determined by the Superintendent of Public Instruction to have been required because of changes in the location of schools or the reorganization of attendance centers within the district, the entire cost of such busses This paragraph shall not be effective as to any unified school district after the end of the fifth fiscal year succeeding the formation of the district.

7018. The Superintendent of Public Instruction in approving, under this article, current expenditures of school districts for the transportation of pupils shall apply the same standards and bases for such approval to expenditures for such transportation provided by a school district in school busses owned and operated by the school district and expenditures for such transportation provided by contract with a private party except that with respect to expenditures for transportation by contract with a private party, he shall make due allowance for all expenditures by the private party required of it by law and not required of a school district in connection with the operation of busses owned by the district.

7019 In the event the total amount which may be allowed under Section 7011 for allowance under this article during any fiscal year is less than the total allowances computed under this article for such fiscal year without regard to Section 7011, the amounts allowed shall be reduced in the ratio that the amount of such deficit bears to the amounts allowed.

SEC. 10 Section 7031 1 is added to said code, to read:

7031 1. With respect to any unified school district which became effective for all purposes after July 1, 1950, the foundation program for such district as computed under this article shall be increased five dollars ($5) for each unit of average daily attendance in each of the first five fiscal years of its existence for all purposes.

SEC. 11. Section 7037 of said code is repealed.

SEC. 12 Section 7037 is added to said code to read

7037 For each high school district which had an average daily attendance during the preceding fiscal year of less than 301, he shall compute, except as otherwise provided, ten thousand eighty dollars ($10,080) for the first five units; five hundred four dollars ($504) for each of the sixth to sixty-second units, inclusive; three hundred thirty dollars ($330) for the sixty-third unit; one hundred sixty-six dollars ($166) for each of the sixty-fourth to one hundred thirtieth units, inclusive; and seventy-five dollars ($75) for each of the one hundred thirty-first to the three hundredth units, inclusive.

SEC. 13 Section 7037 1 is added to said code, to read:

7037.1 For each high school district which maintained two or more high schools, he shall compute for the district an amount which shall be determined by allowing for each day high school having an average daily attendance of less than 301 the amount of which would otherwise be computed for the district under Section 7037 except that with respect to any such high school maintaining less than four years the amount computed for such high school shall be an amount determined by multiplying the number of units of average daily attendance of such high school by two hundred ten dollars ($210) or the following percentage of the amount computed under Section 7037 2, whichever amount is the larger:

(a) Fifty-five percent if the high school maintains but one year,

(b) Sixty-five percent if the high school maintains but two years, or

(c) Eighty percent if the high school maintains but three years

No computation shall be made under this section for any high school established after July 1, 1952, without the approval of the Superintendent of Public Instruction.

SEC 14. Section 7037 2 is added to said code, to read:

7037 2. For each high school district he shall multiply the number of units of average daily attendance, exclusive of the average daily attendance of a day high school having an average daily attendance of 301 or more by two hundred ten dollars ($210)

SEC. 15 Section 7037 3 is added to said code, to read:

7037 3 The amount by which the foundation program computed under Section 7037 or Section 7037 1 for a high school district exceeds the foundation program which would have been computed for such district by multiplying the number of units of average daily attendance of such district by two hundred ten dollars ($210) shall, beginning with the Fiscal Year 1954-1955, be reduced by an amount equal to 20 percent of the amount of such excess and for each of the four succeeding fiscal years by an additional 20 percent except as to any high school district in which any one or more of the following conditions obtain:

(a) If as many as five pupils residing in the district and attending grades 9 to 12, inclusive, would be required to travel more than 30 miles one way from a point on a well-traveled road nearest their home to the nearest other public high school, or

(b) If as many as 10 pupils residing in the district and attending grades 9 to 12, inclusive, would be required to travel more than 20 miles one way from a point on a well-traveled road nearest their home to the nearest other public high school, or

(c) If as many as 40 pupils residing in the district and attending grades 9 to 12, inclusive, would be required to travel more than 15 miles one way from a point on a well-traveled road nearest their home to the nearest other public high school.

If topographical or other conditions exist in a district which would impose unusual hardships if the number of miles specified was required to be traveled or if during the fiscal year the roads which would be traveled have been impassable for more than an average of two weeks per year for the preceding five years, the governing board of the district may, on or before April 1st, request the Superintendent of Public Instruction, in writing, for an exemption from such requirements or for a reduction in the miles required. The request shall be accompanied by a statement of the conditions upon which such request is based, giving such information in such form as the Superintendent of Public Instruction may require. The Superintendent of Public Instruction shall cause an investigation to be made, and he shall either grant such request to the extent deemed necessary by him or deny the request.

SEC. 16. Section 7038 of said code is amended to read:

7038. For each junior college district he shall multiply the number of units of average daily attendance in grades 13 and 14 computed for the district under Sections [6951, 6953, and 6961] *6961, 6963, and 6971*, subject to the provisions of Section 7149, by two hundred ten dollars ($210).

SEC. 17. Section 7041 of said code is amended to read:

7041. For the purposes of this article, the Superintendent of Public Instruction shall allow, in addition to all other allowances, to the county school service fund:

[(a) Two thousand four hundred dollars ($2,400), for supervision of instruction, to the county school service fund of each county for the first three hundred or major fraction of three hundred units of average daily attendance in the aggregate in all the elementary districts of the county, including union and joint union elementary school districts, having less than three hundred units of average daily attendance during the preceding fiscal year and in the emergency schools maintained within the elementary school districts of the county by the county superintendent of schools during the preceding fiscal year. Two thousand four hundred dollars ($2,400) for supervision of instruction shall be allowed to the fund for the next three hundred or any fraction of three hundred units of average daily attendance, and two thousand four hundred dollars ($2,400) shall be allowed to the fund for each succeeding three hundred or major fraction of three hundred units of average daily attendance.

(b) Two thousand four hundred dollars ($2,400), for supervision of instruction, to the county school service fund of the county for each five hundred or major fraction of five hundred units of average daily attendance in the aggregate in all the elementary school districts of the county, including union and joint union elementary school districts having an average daily attendance of three hundred or more but less than nine hundred units of average daily attendance during the preceding fiscal year.

(c)] *(a)* For all emergency schools maintained in each elementary school district of the county by the county superintendent of schools during the preceding fiscal year, the same amount as he would compute as the foundation program of an elementary school district under Article 4 of this chapter.

[(d)] *(b) Two hundred ten dollars ($210)* [One hundred eighty-five dollars ($185)] for each unit of average daily attendance of physically handicapped pupils of secondary grade educated by the county superintendent of schools during the preceding fiscal year.

SEC. 18. Article 5.5 is added to Chapter 15 of Division 3 of said code, to read:

Article 5.5. Computation of Aid to County School Tuition Funds

7046. The Superintendent of Public Instruction shall allow to each county school tuition fund ninety dollars ($90) for each unit of average daily attendance of pupils residing in the county and attending school in an adjoining state during the preceding fiscal year.

SEC. 19. Section 7067 of said code is amended to read:

7067. He shall allow to each high school district ninety dollars ($90) for each unit of average daily attendance in the district during the preceding fiscal year as computed under Sections 6943, [6952, and 6961] *6962, and 6971*, subject to the provisions of Section 7148.

SEC. 20. Section 7075 of said code is amended to read:

7075. He shall allow to each junior college district ninety dollars ($90) for each unit of average daily attendance in grades 13 and 14 subject to the provisions of Section 7149 during the preceding fiscal year, to the district as computed for the district under Sections [6954 and 6961] *6963 and 6971*.

SEC. 20.1. Section 7081 of said code is amended to read:

7081. The Superintendent of Public Instruction shall then compute for each district described herein the amount which a tax levied on each one hundred dollars

($100) of 90 percent of the assessed valuation in such district as shown by the equalized assessment roll of the district for the preceding year would produce if levied, if such tax was:

(a) Forty-five cents ($0.45) in an elementary school district.

(b) [Thirty-two cents ($0.32)] *Forty cents ($0.40)* in a high school district.

(c) Twenty-two cents ($0.22) in a junior college district.

SEC. 21. Section 7112 of said code is amended to read:

7112. If the total amount allowed from the State School Fund to all high school districts and to all county school service funds under Articles 5, 7 and 10 of this chapter on account of the average daily attendance of pupils in high school districts and in schools or classes of high school grade maintained by county superintendents of schools is less than the total amount provided in the State School Fund on account of such average daily attendance *plus seven hundred thousand dollars ($700,000)*, minus an amount equal to the amounts allowed under Sections 7001 and 7011 on account of such average daily attendance plus one-fourth of the amount allowed under Section 7003, the balance shall be allowed by the Superintendent of Public Instruction to high school districts receiving State Equalization Aid during the then current fiscal year. The amount allowed each such district shall be in the ratio that the amount of the balance bears to the total amount computed as equalization aid for all high school districts, multiplied by the amount of equalization aid computed for the district.

SEC. 21.1 Section 7115 of said code is amended to read:

7115. If the total amount allowed from the State School Fund to all high school districts and to all county school service funds under Articles 5, 7 and 10 of this chapter on account of the average daily attendance of pupils in high school districts and in schools or classes of high school grade maintained by county superintendents of schools is larger than the total amount provided in the State School Fund on account of such average daily attendance *plus seven hundred thousand dollars ($700,000)*, minus an amount equal to the amounts allowed under Sections 7001 and 7011, on account of such average daily attendance plus one-fourth of the amount allowed under Section 7003, the amount allowed each such district as State Equalization Aid from the State School Fund shall be reduced in the ratio that the amount of the deficit bears to the total amount of equalization aid computed for all high school districts multiplied by the amount of equalization aid computed for the district

SEC. 22. Section 7092 of said code is amended to read:

7092 The Superintendent of Public Instruction shall then compare the total of the amounts allowed to, and computed for, each high school district pursuant to Articles 7 and 9 of this chapter with the amount of the foundation program of school support computed for each such district pursuant to Article 4 of this chapter.

If the total amount allowed to, and computed for, any high school district pursuant to Articles 7 and 9 of this chapter is less than the amount of the foundation program of school support computed for such district pursuant to Article 4 of this chapter, he shall add to the amount allowed to, and computed for, such district pursuant to Articles 7 and 9 of this chapter such additional amount, to be known as state equalization aid, as may be necessary to equal that computed for such district pursuant to Article 4 of this chapter.

Notwithstanding anything in this article to the contrary, the amount computed *for any high school district under this article shall be not less than it would have* been had the foundation program of school support for such district under Article 4 of this chapter been computed by multiplying the number of units of average daily attendance in the district during the preceding fiscal year as computed under Sections 6943, [6952, and 6961] *6962, and 6971* by two hundred [ten dollars ($210)] *sixty dollars ($260)* and had the tax used in making the computation for the district under Article 9 of this chapter been [fifty cents ($0.50)] *seventy-five cents ($0.75)*.

SEC. 23 Section 7094 is added to said code, to read:

7094 No state equalization aid shall be allowed to any high school district under this article during the Fiscal Year 1951-1952 unless, during the preceding fiscal year, there shall have been levied a tax for such district in an amount equal to thirty-two cents ($0.32) or more on 90 percent of each one hundred dollars ($100) of the assessed valuation in such district as shown by the equalized assessment roll of the district for the next preceding year and no high school district which has met the requirements of this section and is otherwise entitled to state equalization aid shall be denied such aid.

SEC. 24 Section 7096 is added to said code, to read:

7096 Notwithstanding anything in this chapter to the contrary, if under Section 6907 average daily attendance of an original district is credited to an acquiring district, the amounts allowed by the Superintendent of Public Instruction as state equalization aid to the original school district and to the acquiring school district during the first fiscal year in which an apportionment is made to the acquiring school district on account of such average daily attendance, shall be the amounts computed under this section. The Superintendent of Public Instruction shall divide the total amount of state equalization aid which would have been apportioned to the original school district during said fiscal year had this section not been in effect by the units of average daily attendance of the original school district for the preceding fiscal year prior to the

crediting of any of such average daily attendance to the acquiring school district He shall allow to the original school district as state equalization aid the amount computed by multiplying the resulting quotient by the units of average daily attendance of the district for the preceding fiscal year less the units credited to the acquiring school district. He shall allow the acquiring school district as state equalization aid the amount computed by multiplying the same quotient by the units of average daily attendance credited to the district under this section.

SEC. 25. Article 11.6 is added to Chapter 15 of Division 3 of said code, to read:

Article 11.6. Apportionment for Growth

7109. The Superintendent of Public Instruction shall apportion to each school district, in addition to all other apportionments made under this division, the sums allowed as herein provided.

7109.1 The governing board of each school district shall report to the Superintendent of Public Instruction during each fiscal year, as herein provided, the average daily attendance in the regular day schools of the district for all full school months in the fiscal year during (1) the period between July 1st and December 31st, inclusive, hereinafter referred to as the "first period," (2) the period between the end of the last full school month of the first period and May 31st, inclusive, hereinafter referred to as the "second period," and (3) for each of the same periods during the preceding fiscal year. Such report with respect to the first period shall be filed with the Superintendent of Public Instruction on or before the next succeeding January 15th and with respect to the second period shall be filed with the Superintendent of Public Instruction not later than the next succeeding June 10th. Each report shall be made in such form as shall be prescribed and furnished by the Superintendent of Public Instruction.

7109.2 The Superintendent of Public Instruction shall allow, for each period referred to above, to each school district which was in existence for all purposes during the preceding fiscal year an amount which shall be computed as follows:

The average daily attendance in the regular day schools of the district during the period in the then current fiscal year and for the same period in the preceding fiscal year shall be computed in the manner prescribed in Chapter 14 of this division, except that in each case the divisor used shall bear the same ratio to the divisor required to be used under said Chapter 14 to determine the average daily attendance of the regular day schools of the district for the whole of the preceding fiscal year as the number of days the regular day schools of the district were maintained during the period bears to 175 and except that the computation of a day of attendance shall be determined according to the law in effect during said preceding fiscal year.

The Superintendent of Public Instruction shall apportion to each school district for each unit by which the average daily attendance for a period of the then current fiscal year exceeds that of the average daily attendance for the same period during the preceding fiscal year, an amount determined by dividing the total of the amounts allowed the district during the preceding fiscal year as basic state aid and state equalization aid, exclusive of amounts allowed under Section 7117, by the total average daily attendance of the district during the preceding fiscal year multiplied by the ratio of days the regular day schools of the district were maintained during said period of the then current fiscal year to 175.

7109.3. The Superintendent of Public Instruction shall allow, for each period referred to above, to each school district which was not in existence for all purposes during the preceding fiscal year an amount which shall be computed as follows:

The average daily attendance in the regular day schools of the district during the period in the then current fiscal year shall be computed in the manner prescribed in Chapter 14 of this division, except that the divisor used shall bear the same ratio which would have been required to be used under said Chapter 14 to determine the average daily attendance of the regular day schools of the district for the whole of the preceding fiscal year had such district been in existence for all purposes during the preceding fiscal year, as the number of days the regular day schools of the district were maintained during the period bears to 175 and except that the computation of a day of attendance shall be determined according to the law in effect during the preceding fiscal year.

The Superintendent of Public Instruction shall allow to each such district for each unit of average daily attendance so computed an amount determined by dividing the total of the amounts of basic state aid and state equalization aid which would have been apportioned to such district during the current fiscal year on account of such average daily attendance had such district been in existence for all purposes during the preceding fiscal year, multiplied by the ratio of days the regular day schools of the district were maintained to said period of the then current fiscal year to 175.

In making any computation under Section 7081 for the purposes of this section, the assessed valuation of the district for the current year shall be used Section 7095 is not applicable to districts coming within this section.

7109.4. For the purposes of this article all of the elementary school districts included in any union elementary school district, joint union elementary school district, or unified school district shall constitute a single elementary school district regardless of Section 7184, all of the high school districts included in any unified school district

shall constitute a single high school district, and all of the junior college districts included in any unified school district shall constitute a single junior college district.

7109.5. The apportionment made on account of the first period shall be made not later than the next succeeding February 15th; the apportionment made on account of the second period shall be made not later than the next succeeding June 30th.

7109.6. The Superintendent of Public Instruction shall furnish an abstract of the apportionments made under this article to the State Controller, the Department of Finance, and to the county and city and county auditors, county and city and county treasurers, and county superintendents of schools of the several counties of the State having jurisdiction over the districts to which such apportionments are made.

7109.7. The Superintendent of Public Instruction shall certify each apportionment made by him under this article to the State Controller who shall draw his warrants during the fiscal year on the State School Fund in favor of the treasurer of the county having jurisdiction over the district for the amount of such apportionment.

7109.8. All money received by the treasurer of any county from an apportionment made under this article shall be immediately credited by the treasurer to the general fund of the district exactly as apportioned by the Superintendent of Public Instruction.

SEC. 26. The heading of Article 12 of Chapter 15 of Division 3 of said code is amended to read:

Article 12. [Computation and Apportionment of State Equalization Balance]
Re-computation of Allowances

SEC. 27. Section 7117 is added to said code, to read:

7117. In addition to any and all other amounts allowed under this chapter, the Superintendent of Public Instruction shall allow to:

(a) Each elementary and high school district an amount equal to ten percent of the state equalization aid computed for the district.

(b) For each unit of average daily attendance in the district during the preceding fiscal year an amount equal to the quotient derived by dividing one million eight hundred thousand dollars ($1,800,000) by the total average daily attendance in all school districts during the preceding fiscal year, or one dollar ($1), whichever is the lesser.

SEC. 27. Section 7125 of said code is amended to read:

7125. The Superintendent of Public Instruction shall apportion to the county high school tuition fund of each county the amount required to be allowed thereto by Section [7011] *7046*.

SEC. 28. Article 1 is added to Chapter 16 of Division 3 of said code, to read:

Article 1. County School Service Fund

7201. There is hereby established in the treasury of each county the "county school service fund."

7202. Wherever any of the terms "unapportioned county elementary school fund," "county elementary school supervision fund," or "unapportioned county high school fund" are used in this code or in any other law, said term shall be deemed to refer to and mean the "county school service fund" established by this chapter.

7203. *During July or August of each year the county superintendent of schools* shall transfer to the county school service fund 80 percent of any excessive balance or unnecessary surplus in any school fund of any elementary school district. Funds raised by school district taxes shall not be transferred.

7204. The county auditor of any county, receiving money from the Government of the United States pursuant to any act of Congress providing for the distribution and payment to states and territories of a fixed and definite percentage of the money received by the Government of the United States from the forest reserves established therein, shall apportion 50 percent of the money received to the credit of the county school service fund of the county.

The money thus added to the county school service fund shall be apportioned by the county superintendent of schools in the same manner as other county school service fund money, except that all or any portion of the money thus apportioned to the credit of the county school service fund shall upon the request of the county superintendent of schools be transferred to the forest reserve school fund, which shall be used by the county superintendent of schools for the benefit of school districts of the county lying within or adjacent to the United States Forest Reserve. The fund is available for any purpose for which county funds may be spent.

7205. The county school service fund shall be employed by the county superintendent of schools to pay such charges against the fund as are provided in this code; and to provide with the approval of the county board of education (a) additional apportionments to any school district under his jurisdiction for current expenses which (1) has levied the maximum district tax specified in Section 6357 and in which the annual average current cost per pupil does not exceed the annual average current cost per pupil for all districts of the same type within the county or under the jurisdiction of the county superintendent of schools, or (2) which needs additional apportionments for current expenses because of temporary emergency conditions, and (b) additional

apportionments to any school district under his jurisdiction for the transportation of pupils to and from school to meet temporary emergency conditions.

7206 The county superintendent of schools may:

(a) With the approval of the county board of education provide advisory services in school business administration, in maintenance of school buildings and grounds, and in the processing of special problems concerning credentials as designated by the State Department of Education.

(b) Pay actual and necessary travel expenses incurred, in connection with curricular and special services, by the county superintendent of schools, or by his designated staff members in accordance with regulations established by the Superintendent of Public Instruction

The costs incurred under this section shall be paid out of the county school service fund.

7207. The county superintendent of schools shall, except as otherwise provided by this code, expend from the county school service fund all amounts apportioned to said fund for supervision of instruction, exclusively for the payment of the salaries and necessary expenses of supervisors to supervise instruction in the elementary school districts of the county having less than 900 units of average daily attendance during the next preceding fiscal year, and in any other elementary school districts of the county the governing board of which requests him to supervise instruction in the schools of such district, and for the furnishing of such clerical help, supplies, and equipment to the supervisors as the county superintendent of schools deems necessary. In the event of the inability of the county superintendent of schools to use such amounts advantageously during any fiscal year, the unexpended portion of such amounts may be used for other purposes of the county school service fund

7208 No moneys shall be expended from the county school service fund for any purpose in excess of the total proposed expenditures for such purpose as approved by the Superintendent of Public Instruction under Section 7001, without the approval of the Superintendent of Public Instruction

SEC 30. It is the intent of the Legislature in enacting this act to continue in effect Chapters 2, 12, 13, 14, 15, and 16 of Division 3, and Sections 8761, 8704, and 9645, of the Education Code as the same are now in effect except as said chapters or any article or articles, section or sections included therein, or the sections named herein, may be amended, added, repealed, added to, or otherwise affected by this act or any other act enacted by the 1951 Regular Session of the Legislature

SEC. 31. This act shall remain in effect until July 1, 1953.

SEC. 32 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect, to become operative July 1, 1951. A statement of the facts constituting such necessity is as follows:

The existing law providing for the apportionment of the State School Fund for the support of the public kindergarten schools, elementary schools, and secondary schools, will, because of Section 10 of Chapter 74, Statutes 1950 First Extraordinary Session, remain in effect only until July 1, 1951 It is essential that provision be made for the support of such schools beginning July 1, 1951, and it is therefore necessary that this act take effect immediately "

Amendment No. 3

On page 1 of said bill, as amended, strike out lines 2 to 14, inclusive; and strik out pages 2 to 27, inclusive.

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1985 by the following vote:

AYES—Babbage, Beck, Geddes, Hagen, Stanley, and Tomlinson—6

NOES—Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Sherwin, Silliman, and Smith—54.

Appointment of Committee on Conference Concerning Assembly Bill No. 1985

The Speaker announced the appointment of Messrs. Geddes, Kirkwood, and Beck as a Committee on Conference concerning Assembly Bill No. 1985.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Dilworth, Weybret, and Hulse as a Committee on Conference concerning:

Assembly Bill No. 2061—An act to continue in effect Sections 1, 2, 3, 4, 6, 7, 8, 8.5, 8.6, 9 and 11.5 of an act entitled "An act to repeal Section 10 of an act entitled, 'An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved May 28, 1947 (Chapter 401, Statutes of 1947), to provide for the continuance in effect of an act entitled 'An act to amend Section 10 of an act entitled "An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately," approved May 28, 1947 (Chapter 401, Statutes of 1947); to repeal Sections 6713, 7039, 7052, 7064, 7068, 7117, 7126, 7128, and 7147 of the Education Code; to repeal Article 4 of Chapter 13, and Article 6 of Chapter 14, of Division 3 of said code; to add Article 4 to Chapter 13, Article 6 to Chapter 14, and Articles 1 and 13.5 to Chapter 15, of Division 3 of said code; to add Sections 5157, 6408, 7126, 7132, and 7151 to said code; to amend the headings of Articles 1 and 13 of Chapter 15 of Division 3 of said code; and to amend Sections 5152, 5153, 5156, 6703, 6714, 6812, 7002, 7012, 7023, 7032, 7033, 7034, 7035, 7036, 7037, 7038, 7041, 7061, 7062, 7063, 7067, 7081, 7091, 7092, 7094, 7095, 7101, 7103, 7111, 7112, 7113, 7114, 7115, 7116, 7121, 7122, 7124, 7130, 7146, 7146.1, 7148, 7149, 7150, 7208, 7231, and 9645 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved July 20, 1949 (Chapted 1017, Statutes of 1949) except Section 1 thereof; to repeal Sections 6714 and 7094 of the Education Code; to add Sections 5153.3 and 6904 to said code; and to amend Sections 7091, 7092, 7095, 7113, 7116, and 6951 of said code, to repeal Articles 2 and 3 of Chapter 15, Division 3 of said code and to add Articles 2 and 11.6 to Chapter 15, Division 3 of said code all relating to the Public School System," approved May 5, 1950 (Chapter 74, Statutes 1950 First Extraordinary Session); to repeal Sections 2.5, 5, 10, 12, and 13 of said act; to repeal Sections 5153.3, 6812 and 7091 of the Education Code; to repeal Articles 2, 3 and 11.6 of Chapter 15 of Division 3 of said code; to add Sections 5153.3, 6812 and 7091 to said code; and to add Articles 2 and 11.6 to Chapter 15 of Division 3 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

MOTION TO PASS SENATE THIRD READING FILE TEMPORARILY UNTIL CONSIDERATION OF SENATE AMENDMENTS COMPLETED

Mr. Silliman moved that no Senate bills be considered until the consideration of Senate amendments to Assembly bills is as fully completed as possible.

Mr. Lowrey seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Davis, Dills, Dolwig, Doyle, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Lyon, McFall, McGee, McMillan, Meyers, Morris, Munnell, Parker, Rumford, Shaw, Sherwin, Silliman, Stanley, Tomlinson, and Waters—47.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2034

Mr. Caldecott asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2034, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2034—An act to add Division 3 to Title 5 of the Government Code constituting the Community Services District Law, providing for the formation of community services districts in unincorporated territory, for the purposes, powers, management and government of such districts; authorizing such districts to incur bonded indebtedness for the purpose of constructing and acquiring works and property and to levy and collect taxes to pay the principal and interest on bonds and for other purposes of such districts; imposing certain duties and functions in connection with such districts upon certain county officers; and providing methods of annexation to and dissolution of such districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2034?

Amendment No. 1

On page 9, line 7, of the printed bill, as amended in the Assembly on June 15, 1951, after "has", insert "not".

Amendment No. 2

On page 9, line 47, of said bill, as amended, strike out "4", and insert "3".

Amendment No. 3

On page 11, line 36, of said bill, as amended, strike out "may impose".

Amendment No. 4

On page 20, line 35, of said bill, as amended, strike out "in", and insert "not".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2034 by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Gaffney, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, Tomlinson, and Waters—57.

NOES—None.

Assembly Bill No. 2034 ordered enrolled.

Explanation of Vote

I was absent from the Assembly Chambers on legislative business during the vote taken on concurrence in Senate amendments to Assembly Bill 2034 (Caldecott). Were I present at the time, I would have cast an "Aye" vote.

FRANK LANTERMAN

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2290

Mr. Davis asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2290, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2290—An act to amend Section 737y of the Political Code, relating to the compensation of superior judges in and for the County of Modoc.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2290?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 18, 1951, strike out "Section 737y of the Political Code", and insert "Sections 79.18 and 79.25 of the Code of Civil Procedure".

Amendment No. 2

In lines 2 and 3 of the title of said bill, as amended, strike out "in and for the County of Modoc".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

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Amendment No. 3

On page 1 of said bill, as amended, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 79 18 of the Code of Civil Procedure is amended to read

79 18 The annual salary of the judge of the Superior Court in and for the County of Lassen is [nine thousand two hundred fifty dollars ($9,250)] *ten thousand dollars ($10,000)*.

SEC 2 Section 79 25 of said code is amended to read:

79 25. The annual salary of the judge of the Superior Court in and for the County of Modoc is [eight thousand five hundred dollars ($8,500)] *nine thousand five hundred dollars ($9,500)*."

Amendment No. 4

In line 3 of the title of the printed bill as amended in the Senate on June 21, 1951, strike out ", relating to the compensation of superior judges", and insert "and to amend Section 28122 of the Government Code, relating to compensation for public services in counties".

Amendment No. 5

On page 1 of said bill, as amended, after line 15, insert

"SEC 3 Section 28122 of the Government Code is amended to read:

28122. In a county of the twenty-second class the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums:

(a) The auditor, six thousand nine hundred dollars ($6,900) a year.

(b) The district attorney, [eight thousand dollars ($8,000)] *ten thousand dollars ($10,000)* a year. He shall devote his entire time to the duties of his office and shall not engage in private law practice during his term of office.

(c) Each supervisor, two hundred dollars ($200) a month and eight cents ($0 08) for each mile necessarily and actually traveled in attending meetings of the board or in the discharge of county business within the county.

Each supervisor shall be allowed his actual and necessary expenses incurred while traveling to and from the annual convention of the supervisor's association, not to exceed fifty dollars ($50) for each in any one year.

(d) Grand and trial jurors, five dollars ($5) per day

The compensation provided for by this section shall be payable to incumbent officers

SEC. 4 If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall, nevertheless, be payable to the officers designated in this act as soon as it is legally competent to do so."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2290 by the following vote:

AYES—Babbage, Belotti, Brady, Brown, Burke Burkhalter, Chapel, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Elliott, Fleury, Gaffney, Grant, Hagen, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, Meyers, Morris, Nichouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, and Tomlinson—48

NOES—None

Assembly Bill No 2290 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2836

Mr. Lowrey asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2836, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2836—An act to amend Section 6219 of, and to add Section 6219.1 to, the Public Resources Code, relating to the index to land owned by the State.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2836?

Amendment No. 1

On page 1, line 24, of the printed bill, as amended in the Assembly on June 15, 1951, strike out "annually", and insert ", beginning January 1, 1952 and each five years thereafter,".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2836 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, and Tomlinson—60.

NOES—None.

Assembly Bill No. 2836 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1376

Mr. Brown asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1376, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1376—An act providing for the constitution of municipal courts in districts in Stanislaus County other than the district embracing the City of Modesto, and prescribing the number and compensation of the judges, officers and attaches thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1376?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on June 13, 1951, strike out line 8, and insert

"(2) There shall be one clerk, who shall receive a minimum salary of two hundred ninety dollars ($290) monthly with annual increments of fourteen dollars ($14), fourteen dollars ($14), fifteen dollars ($15) and sixteen dollars ($16) to a maximum of three hundred forty-nine dollars ($349) monthly and who may appoint the following:

One deputy clerk, who shall be a court clerk and who shall receive a minimum salary of two hundred forty-two dollars ($242) monthly, with annual increments of eleven dollars ($11), twelve dollars ($12), twelve dollars ($12) and thirteen dollars ($13) to a maximum of two hundred ninety dollars ($290) monthly;

Two deputy clerks, who shall receive a minimum salary of two hundred two dollars ($202) monthly, with annual increments of nine dollars ($9), ten dollars ($10), ten dollars ($10) and eleven dollars ($11) to a maximum of two hundred forty-two dollars ($242) monthly;

(3) There shall be one marshal, who shall receive a minimum salary of two hundred ninety dollars ($290) monthly, with annual increments of fourteen dollars ($14), fourteen dollars ($14), fifteen dollars ($15) and sixteen dollars ($16) to a maximum of three hundred forty-nine dollars ($349) monthly and who may appoint the following:

One deputy marshal, who shall receive a minimum salary of two hundred forty-two dollars ($242) monthly, with annual increments of eleven dollars ($11), twelve

dollars ($12), twelve dollars ($12) and thirteen dollars ($13) to a maximum of two hundred ninety dollars ($290) monthly;

Two deputy marshals (custodians), at the fee allowable by law for keeping property."

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 9 to 20, inclusive; and strike out lines 1 to 10, inclusive, on page 2.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1376 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, and Tomlinson—55.

NOES—None.

Assembly Bill No. 1376 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3453

Mr. Morris asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 3453, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3453—An act to provide for the sale of a parcel of land under the control of the State Park Commission.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3453?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 8, 1951, strike out "a parcel of land under the con-"; and strike out line 2, and insert "certain state property, and providing for the disposition of the proceeds thereof."

Amendment No. 2

On page 1, line 9, of said bill, as amended, strike out "SEC. 2."

Amendment No. 3

On page 1 of said bill, as amended, between lines 10 and 11, insert

"SEC. 2 The Director of Finance, with the approval of the Director of the Youth Authority, is authorized to sell that certain real property in Ventura County known as the Ventura School for Girls.

The proceeds of the sale shall be deposited in the Capital Outlay and Savings Fund."

Amendment No. 4

On page 1, line 12, of said bill, as amended, strike out "by the Director of Finance".

Amendment No. 5

On page 1, line 1, of the printed bill, as amended in Senate June 16, 1951, strike out "is authorized to", and insert "may".

Amendment No. 6

On page 1, line 10, of said bill, as amended, strike out "State Beach Fund", and insert "California State Park Fund of 1927".

Amendment No. 7

On page 1, line 12, of said bill, as amended, after "sell", insert "any part or all of".

Amendment No. 8

On page 1, line 7, of the printed bill, as amended in the Senate on June 20, 1951, after "California", insert quotation marks.

Amendment No. 9

On page 1 of said bill, as amended, strike out all of lines 11 to 16, inclusive.

Amendment No. 10

On page 1, line 17, of said bill, as amended, strike out "3", and insert "2".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3453 by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, and Tomlinson—58.

NOES—None.

Assembly Bill No. 3453 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2946

Mrs. Niehouse asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2946, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2946—An act making an appropriation for the purchase of property adjacent to the campus of San Diego State College.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2946?

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on May 8, 1951, strike out ", without regard to fiscal years".

Amendment No. 2

On page 1, line 4, of said bill, as amended, after "purchase", insert "during the 1951-52 Fiscal Year, subject to the Property Acquisition Act,".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2946 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—64.

NOES—None.

Assembly Bill No. 2946 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2924

Mr. Grunsky asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2924, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2924—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by amending Sections 1, 3, 10, 12, and 15, adding Section 10.5, and repealing Section 8 thereof, relating to the State Board of Chiropractic Examiners and the practice of chiropractic, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2924?

Amendment No. 1

On page 5 of the printed bill, as amended in the Assembly on June 7, 1951, strike out all of lines 3 to 11, inclusive.

Amendment No. 2

In line 7 of the title of the printed bill, as amended in the Assembly on June 7, 1951, after the first comma, insert "2,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of said bill, between lines 13 and 14, insert

"SEC. 1.5. Section 2 of said act is amended to read:

Sec 2. Within 60 days of the date upon which [this act] *the latest amendment to this section* takes effect, the Governor shall appoint [the] *two additional* members of the board. Of the members [first appointed, one shall be appointed for a term of one year, two for two years, and two for three years.] *so appointed, one shall be appointed for a term expiring February 10, 1954, and the other for a term expiring February 10, 1955. The terms with respect to members of the board, which terms are in existence on the date the latest amendment to this section takes effect, shall expire as if this section had not been amended, that is, two on February 10, 1953, one on February 10, 1954, and two on February 10, 1955.* Thereafter, each appointment shall be for the term of three years, except that an appointment to fill a vacancy shall be for the unexpired term only. Each member shall serve until his successor has been appointed and qualified. The Governor may remove a member from the board after receiving sufficient proof of the inability or misconduct of said member."

Amendment No. 4

On page 3 of said bill, between lines 36 and 37, insert

"(c) All licenses granted under this act shall be renewed annually. The issuance of such renewal licenses shall be contingent upon submission of evidence satisfactory to the board, of the applicant having completed at least sixteen hours of postgraduate studies within the previous year."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2924 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Waters—60.

NOES—None.

Assembly Bill No. 2924 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 453

Mr. Crowley asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No 453, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 453—An act to amend Section 20975 of the Education Code, relating to visiting teachers for blind children, and making an appropriation therefor.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 453?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 29, 1951, strike out lines 1, 2, and 3 of the title, and insert "An act making an appropriation for support of the California School for the Blind."

Amendment No. 2

On page 1 of said bill, as amended, strike out all of lines 1 to 14, inclusive.

Amendment No. 3

On page 1, line 15, of said bill, as amended, strike out "SEC 2", and insert "SECTION 1."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 453 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloved, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Waters—60.
NOES—None.

Assembly Bill No. 453 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2712

Mr. Dickey asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2712, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2712—An act relating to protection of quality of underground waters, and making an appropriation.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2712?

Amendment No. 1

On page 1, line 1, of the printed bill, as amended in the Assembly on June 12, 1951, strike out "one million one", and insert "seven".

Amendment No. 2

On page 1, line 2, of said bill, as amended, strike out "($1,150,000)", and insert "($750,000)".

Amendment No. 3

On page 1, line 7, of said bill, as amended, strike out "for allocation"; and strike out lines 8 to 23, inclusive.

Amendment No. 4

On page 2 of said bill, as amended, strike out lines 1 to 13, inclusive; and in line 14, strike out "the State Engineer,".

Amendment No. 5

On page 2 of said bill, as amended, strike out lines 27 to 35, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2712 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Thomas, and Tomlinson—64.

NOES—None.

Assembly Bill No. 2712 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3205

Mr. Hagen asked for, and was granted, unanimous consent to consider Senate amendment to Assembly Bill No. 3205, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3205—An act relating to conservation, particularly of the species Sequoia gigantea.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 3205?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on June 8, 1951, between lines 10 and 11, insert

"Nothing in this act shall be construed as establishing a policy to acquire any such Sequoia gigantea groves for preservation and conservation out of any money in the State Park Fund available for acquisition of land for park purposes under the provisions of Chapter 1422, Statutes of 1945."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 3205 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, and Waters—61.

NOES—None.

Assembly Bill No. 3205 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2022

Mr. Lindsay asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2022, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2022—An act to repeal Division 9 of, and to add Division 9 to, the Public Resources Code, relating to soil conservation, prescribing the duties and functions of the State Soil Conservation Commission, and regulating the organization, operations, finances, and

functions of soil conservation districts and providing for the discontinuance or change in boundaries of such districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2022?

Amendment No. 1

On page 25, line 12, of the printed bill, as amended in the Assembly on May 28, 1951, after "improvements", insert "and mineral rights".

Amendment No. 2

On page 6 of the printed bill, as amended in the Senate on June 20, 1951, strike out all of lines 10 to 15, inclusive, and insert "January 1, 1954."

Amendment No. 3

On page 6 of said bill, as amended, between lines 20 and 21, insert

"Any equipment not purchased or held by the commission shall be sold prior to November 1, 1953, by the Department of Finance for the best price obtainable in cooperation with the State Soil Conservation Commission. Funds received from the sale of such property and equipment shall be used first to pay any amounts due the State Soil Conservation Commission on account of that property and equipment by reason of either a cash loan or rental agreement, second to pay any amounts due the State for loans made available by the Department of Finance, and any balance shall be available for expenditure for district purposes."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2022 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Doyle, Elliott, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Munnell, Nichouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, and Tomlinson—56.

NOES—None.

Assembly Bill No. 2022 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3011

Mr. Silliman asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 3011, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3011—An act to amend Sections 19360 and 19361 of the Government Code, relating to state employment, in respect to transfers.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3011?

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on June 8, 1951, strike out "Sections 19360 and 19361", and insert "Section 19360".

Amendment No. 2

On page 2 of said bill, as amended, strike out lines 1 to 17, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3011 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Davis, Dickey, Dills,

Doyle, Elliott, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Waters—61.

NOES—None.

Assembly Bill No. 3011 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 399

Mr. Lindsay asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Senate Bill No. 399, without reference to file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR SPEAKER The Committee on Conference concerning:

Senate Bill No. 399—An act to amend Section 2110 of the Streets and Highways Code, relating to apportionments to counties payable from the Highway Users Tax Fund;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on June 15, 1951, strike out "47", and insert "44".

Amendment No. 2

On page 1, line 9, of said bill, strike out "52", and insert "49".

Amendment No. 3

On page 1 of said bill, between lines 9 and 10, insert
"Calaveras, ---------- 1 65 percent,"

Amendment No. 4

On page 1, line 10, of said bill, strike out "1 99", and insert "1 88".

Amendment No. 5

On page 1, line 11, of said bill, strike out "1 61", and insert "1.52".

Amendment No. 6

On page 1, line 12, of said bill, strike out "6.72", and insert "6.36".

Amendment No. 7

On page 1, line 13, of said bill, strike out "4 14", and insert "3 92".

Amendment No. 8

On page 1, line 14, of said bill, strike out "1.00", and insert ".95".

Amendment No. 9

On page 1, line 15, of said bill, strike out "6 03", and insert "5 70".

Amendment No. 10

On page 1, line 16, of said bill, strike out "3 26", and insert "3.08".

Amendment No. 11

On page 1, line 17, of said bill, strike out "8 26", and insert "7.82".

Amendment No. 12

On page 1, line 18, of said bill, strike out "8.33", and insert "7.89".

Amendment No. 13

On page 1, line 19, of said bill, strike out "12.70", and insert "12.01".

Amendment No. 14

On page 1, line 20, of said bill, strike out "3 29", and insert "3 11".

Amendment No. 15

On page 1 of said bill, between lines 20 and 21, insert
"San Diego, ---------- 3.76 percent;".

Amendment No. 16

On page 1, line 21, of said bill, strike out "10.85", and insert "10 26".

Amendment No. 17

On page 1, line 22, of said bill, strike out "6.72", and insert "6 35".

Amendment No. 18

On page 1, line 23, of said bill, strike out "17 17", and insert "16 24".

Amendment No. 19

On page 1, line 24, of said bill, strike out "2 10", and insert "1 99".

Amendment No. 20

On page 1, line 25, of said bill, strike out "4.84", and insert "4 58".

COLLIER	LUCKEL
MAYO	DAVIS
DILWORTH	LINDSAY
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Elliott, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—62.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 2882

Mr. Caldecott asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Assembly Bill No. 2882, without reference to file

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 2882—An act to add Section 14011 and Chapter 6 to Part 1 of Division 3 of Title 2 of the Government Code, to amend Sections 12001, 12100, 12150, 12300, 12302, 12400, 13002, 14002, 15003, 15603, and 18650 of said code, to amend Section 21 of the Agricultural Code, to amend Sections 213 and 230 of the Banking Code, to amend Sections 151, 6512, 7011, 10055, 18626.5 and 19433 of the Business and Professions Code, to amend Section 25301 of the Corporations Code, to amend Sections 141, 144 2, 20924, and 22003 of the Education Code, to amend Sections 213, 230, and 5201 of the Financial Code, to amend Section 10 of the Fish and Game Code, to amend Section 1732 6 of the Harbors and Navigation Code, to amend Sections 107 5 and 13101 of the Health and Safety Code, to amend Section 12902 of the Insurance Code, to amend Sections 51, 70 5, 77.5, 80, 123, and 112 of the Labor Code, to amend Section 76 of the Military and Veterans Code, to amend Sections 5051 and 5076 of the Penal Code, to amend Section 3700 of the Political Code, to amend Section 501 of the Public Resources Code, to amend Section 304 of the Public Utilities Code, to amend Section 52 of the Streets and Highways Code, to amend Sections 105, 109 and 139 08 of the Vehicle Code, to amend Sections 130, 152, 1722 and 1723 of the Welfare and Institutions Code, to amend Section 10 of the Public Utilities Act, to amend Section 3 of the State Aeronautics Commission Act, to amend Sections 76 and 77 of the Unemployment Insurance Act, to amend Section

2 of an act entitled "An act to create the Franchise Tax Board, prescribing its powers, duties, jurisdictions, purposes, and functions and abolishing the Office of Franchise Tax Commissioner," approved July 25, 1949; to amend Section 2 of an act entitled "An act to provide for the salaries and expenses of the Building and Loan Commissioner, his attorney, deputies, examiners, accountants, appraisers and other assistants; to provide for the disposition of moneys in the 'Building and Loan Inspection Fund' created by Chapter 354 of the Statutes of 1911, as amended; and of moneys collected under the Building and Loan Association Act; and otherwise relating to the Building and Loan Commissioner, his assistants and employees, and to the regulation of building and loan associations," approved June 12, 1931, relating to the salaries of state officers;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on June 20, 1951, strike out "Section 14011 and".

Amendment No. 2

In lines 5 and 6 of the title of said bill, strike out "to amend Sections 213 and 230 of the Banking Code,".

Amendment No. 3

In line 18 of the title of said bill, strike out "to amend Section 3700 of the Political Code,".

Amendment No. 4

In line 24 of the title of said bill, strike out "to amend Section 10 of the Public Utilities"; strike out all of line 25 of the title; and in line 26 of the title, strike out "mission Act,".

Amendment No. 5

In line 31 of the title of said bill, strike out "to amend Section 2"; and strike out all of lines 32 to 41, inclusive, of the title.

Amendment No. 6

On page 2, line 6, of said bill, strike out "Maximum".

Amendment No. 7

On page 2, line 8, of said bill, strike out "A maximum", and insert "An annual".

Amendment No. 8

On page 2 of said bill, between lines 10 and 11, insert

"11551. An annual salary of sixteen thousand dollars ($16,000) shall be paid to each of the following:

(a) Director of Public Works.
(b) Director of Mental Hygiene.
(c) State Controller."

Amendment No. 9

On page 2, line 11, of said bill, strike out "11550.5. A maximum", and insert "11552. An".

Amendment No. 10

On page 2 of said bill, strike out lines 16 to 18, inclusive.

Amendment No. 11

On page 2, line 19, of said bill, strike out "(e)" and insert "(b)".

Amendment No. 12

On page 2, line 20, of said bill, strike out "(g)", and insert "(c)".

Amendment No. 13

On page 2 of said bill, strike out line 21, and insert

"11553 An annual salary of fourteen thousand five hundred dollars ($14,500) shall be paid to each of the following:

(a) Chief of the Division of Public Employment Offices and Benefit Payments."

Amendment No. 14

On page 2, line 22, of said bill, strike out "11551. A maximum", and insert "11554. An".

Amendment No. 15

On page 3 of said bill, strike out line 1, and insert
"(g) Each member of the Public Utilities Commission."

Amendment No. 16

On page 3 of said bill, between lines 2 and 3, insert
"(i) Director of Corrections.
(j) Director of Agriculture."

Amendment No. 17

On page 3, line 3, of said bill, strike out "11552. A maximum", and insert
"11555. An".

Amendment No. 18

On page 3 of said bill, strike out lines 5 to 7, inclusive, and insert
"(a) Director of Social Welfare.
(b) Director of Motor Vehicles."

Amendment No. 19

On page 3 of said bill, between lines 8 and 9, insert
"(d) Director of Youth Authority.
(e) Chief of the Division of Accounts and Tax Collections.
(f) Director of the Department of Fish and Game."

Amendment No. 20

On page 3, line 9, of said bill, strike out "11553. A maximum", and insert
"11556. An".

Amendment No. 21

On page 3 of said bill, strike out line 11.

Amendment No. 22

On page 3, line 12, of said bill, strike out "(b)", and insert
"(a)".

Amendment No. 23

On page 3 of said bill, strike out lines 13 to 21, inclusive, and insert
"(b) Each member of the Adult Authority.
(c) Each member of the Youth Authority."

Amendment No. 24

On page 3, line 22, of said bill, strike out "(h)", and insert
"(d)".

Amendment No. 25

On page 3, line 24, of said bill, strike out "(i)", and insert
"(e)".

Amendment No. 26

On page 3, line 25, of said bill, strike out "(j)", and insert
"(f)".

Amendment No. 27

On page 3, line 27, of said bill, strike out "(k)", and insert
"(g)".

Amendment No. 28

On page 3, line 28, of said bill, strike out "(*l*)", and insert
"(h)".

Amendment No. 29

On page 3, line 29, of said bill, strike out "(n)", and insert
"(i)".

Amendment No. 30

On page 3, line 30, of said bill, strike out "(o)", and insert
"(j)".

Amendment No. 31

On page 3, line 31, of said bill, strike out "11554 A maximum", and insert
"11557. An".

Amendment No. 32

On page 3 of said bill, strike out lines 34 to 38, inclusive, and insert
"(b) Each member of the Industrial Accident Commission
(c) Labor Commissioner."

Amendment No. 33

On page 3, line 39, of said bill, strike out "11555. A maximum", and insert
"11558. An".

Amendment No. 34

On page 3 of said bill, strike out lines 41 to 52, inclusive, and insert "(a) Chief of the Division of Industrial Safety."

Amendment No. 35

On page 4, line 1, of said bill, strike out "(i)", and insert "(b)".

Amendment No. 36

On page 4, line 2, of said bill, strike out "(j)", and insert "(c)".

Amendment No. 37

On page 4 of said bill, strike out line 3, and insert
"(d) Secretary of the State Athletic Commission
(e) Secretary of the California Horse Racing Board.
(f) Deputy State Treasurer."

Amendment No. 38

On page 4, line 4, of said bill, strike out "(1)", and insert (g)".

Amendment No. 39

On page 4, line 6, of said bill, strike out "(p)", and insert "(h)".

Amendment No. 40

On page 4 of said bill, strike out lines 7 to 20, inclusive, and insert "11559. An annual salary of five thousand four hundred dollars ($5,400) shall be paid to each of the following:".

Amendment No. 41

On page 4 of said bill, strike out lines 23 and 24, and insert "11560. An annual salary of four thousand eight hundred dollars ($4,800) shall be paid to each of the following:".

Amendment No. 42

On page 4, line 27, of said bill, strike out "Maximum".

Amendment No. 43

On page 4, line 29, of said bill, strike out "maximum".

Amendment No. 44

On page 4, line 35, of said bill, strike out "maximum".

Amendment No. 45

On page 5 of said bill, strike out lines 23 to 30, inclusive, and insert "appoint and fix the salaries, subject to the provisions of the State Civil Service Act, of such officers and employees as may be necessary to carry out the duties of his office. The Treasurer may appoint as civil executive officers, one cashier, one bond officer, one deposit officer, one vault officer, one principal accountant, one bookkeeper, and one secretary-stenographer."

Amendment No. 46

On page 6 of said bill, strike out lines 1 to 6, inclusive.

Amendment No. 47

On page 6 of said bill, strike out lines 41 to 52, inclusive.

Amendment No. 48

On page 7, line 1, of said bill, strike out "SEC. 16", and insert "SEC. 14."

Amendment No. 49

On page 7, line 11, of said bill, strike out "SEC. 17.", and insert "SEC. 15."

Amendment No. 50

On page 7, line 20, of said bill, strike out "SEC. 18.", and insert "SEC. 16."

Amendment No. 51

On page 7, line 35, of said bill, strike out "SEC 19.", and insert "SEC. 17."

Amendment No. 52

On page 7, line 45, of said bill, strike out "SEC. 20.", and insert "SEC. 18."

Amendment No. 53

On page 7 of said bill, strike out lines 49 to 51, inclusive, and insert "shall receive the annual salary provided for by Chapter 6 of Part 1 of Division 3 of Title 2 of the Government Code."

Amendment No. 54

On page 8, line 1, of said bill, strike out "SEC. 21.", and insert "SEC. 19."

Amendment No. 55

On page 8 of said bill, strike out lines 5 to 8, inclusive, and insert "the annual salary provided for by Chapter 6 of Part 1 of Division 3 of Title 2 of the Government Code."

Amendment No. 56

On page 8, line 9, of said bill, strike out "SEC. 22.", and insert "SEC. 20."

Amendment No. 57

On page 8, line 16, of said bill, strike out "SEC 23.", and insert "SEC. 21."

Amendment No. 58

On page 8, line 22, of said bill, strike out "SEC. 24.", and insert "SEC. 22."

Amendment No. 59

On page 8 of said bill, strike out lines 28 and 29, and insert "shall be fixed by the Superintendent of Public Instruction with the approval of the Director of Finance"

Amendment No. 60

On page 8, line 30, of said bill, strike out "SEC. 25.", and insert "SEC. 23."

Amendment No. 61

On page 8, line 48, of said bill, strike out "SEC. 26.", and insert "SEC. 24."

Amendment No. 62

On page 9, line 4, of said bill, strike out "SEC. 27 ", and insert "SEC. 25 "

Amendment No. 63

On page 9, line 9, of said bill, strike out "SEC. 28.", and insert "SEC. 26."

Amendment No. 64

On page 9 of said bill, strike out lines 13 and 14, and insert "nual salary of the chief deputy shall be fixed by the superintendent with the approval of the Director of Finance. He shall".

Amendment No. 65

On page 9, line 16, of said bill, strike out "SEC. 29.", and insert "SEC 27."

Amendment No. 66

On page 9, line 25, of said bill, strike out "SEC. 29 5.", and insert "SEC 28 "

Amendment No. 67

On page 9, line 35, of said bill strike out "SEC. 30.", and insert "SEC. 29."

Amendment No. 68

On page 10, line 1, of said bill, strike out "SEC. 31.", and insert "SEC. 30."

Amendment No. 69

On page 10, line 14, of said bill, strike out "SEC. 32.", and insert "SEC 31."

Amendment No. 70

On page 10, line 23, of said bill, strike out "SEC. 33.", and insert "SEC. 32."

Amendment No. 71

On page 10, line 28, of said bill, strike out "SEC. 34.", and insert "SEC. 33."

Amendment No. 72

On page 10, line 36, of said bill, strike out "SEC 35.", and insert "SEC. 34."

Amendment No. 73

On page 10, line 40, of said bill, strike out "SEC. 36.", and insert "SEC. 35."

Amendment No. 74

On page 10, line 44, of said bill, strike out "SEC. 37.", and insert "SEC. 36."

Amendment No. 75

On page 10, line 48, of said bill, strike out "SEC. 38.", and insert "SEC. 37."

Amendment No. 76

On page 11, line 12, of said bill, strike out "SEC. 39.", and insert "SEC. 38."

Amendment No. 77

On page 11, line 17, of said bill, strike out "SEC. 40.", and insert "SEC 39."

Amendment No. 78

On page 11, line 32, of said bill, strike out "SEC. 41.", and insert "SEC. 40."

Amendment No. 79

On page 11 of said bill, strike out lines 37 to 45, inclusive.

Amendment No. 80

On page 11, line 46, of said bill, strike out "SEC. 43.", and insert "SEC. 41."

Amendment No. 81

On page 12, line 3, of said bill, strike out "SEC. 44.", and insert "SEC. 42."

Amendment No. 82

On page 12, line 10, of said bill, strike out "SEC. 45.", and insert "SEC. 43."

Amendment No. 83

On page 12, line 20, of said bill, strike out "SEC. 46.", and insert "SEC. 44."

Amendment No. 84

On page 12, line 32, of said bill, strike out "SEC. 47.", and insert "SEC 45."

Amendment No. 85

On page 12, line 41, of said bill, strike out "SEC 48.", and insert "SEC. 46."

Amendment No. 86

On page 12, line 45, of said bill, strike out "SEC 49.", and insert "SEC. 47."

Amendment No. 87

On page 13, line 1, of said bill, strike out "SEC. 50 ", and insert "SEC. 48."

Amendment No. 88

On page 13, line 11, of said bill, strike out "SEC. 51.", and insert "SEC. 49."

Amendment No. 89

On page 13, line 17, of said bill, strike out "SEC. 52.", and insert "SEC. 50."

Amendment No. 90

On page 13 of said bill, strike out lines 30 to 52, inclusive; and strike out all of pages 14 and 15.

Amendment No. 91

On page 16, line 1, of said bill, strike out "SEC. 55.", and insert "SEC. 51."

Amendment No. 92

On page 16, line 18, of said bill, strike out "SEC. 56.", and insert "SEC. 52 "

Amendment No. 93

On page 16, line 28, of said bill, strike out "SEC. 57.", and insert "SEC. 53."

Amendment No. 94

On page 16 of said bill, strike out lines 49 to 52, inclusive; and strike out all of page 17.

Amendment No. 95

On page 18 of said bill, strike out lines 1 to 5, inclusive.

Amendment No. 96

On page 18, line 6, of said bill, strike out "SEC. 63.", and insert "SEC. 54."

Amendment No. 97

On page 18 of said bill, strike out lines 13 to 16, inclusive, and insert "Board for a class of positions which perform judicial functions."

HATFIELD	CALDECOTT
MAYO	THOMAS
BROWN	
Senate Committee on Conference	Assembly Committee on Conference

The roll was called and the report adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—61.

NOES—Lowrey and Luckel—2.

Assembly Bill No. 2882 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3112

Mr. Burkhalter asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 3112, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3112—An act to provide for the creation of the Los Angeles Metropolitan Transit Authority and prescribing the powers and duties thereof; authorizing the authority to construct and operate an interurban rapid transit system; providing for the issuance and sale of revenue bonds and providing for the use of the proceeds thereof for the purposes of this act; and providing for the expenditure of such proceeds and all revenues received from the operation of the system to the uses and purposes set forth herein.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3112?

Amendment No. 1

On page 4, line 18, of the printed bill, as amended in the Assembly on June 18, 1951, strike out "public agency and".

Amendment No. 2

On page 22 of said bill, as amended, after line 24, insert

"SEC. 13.4. The Legislature, in placing the authority under the jurisdiction of the Public Utilities Commission and requiring it to make payments in lieu of taxes, has made exceptions to a long established policy because of the unique character of the authority and the particular circumstances and conditions requiring its creation. It is not the intent of the Legislature that these exceptions be deemed, in any way, a precedent with respect to any other public corporation."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3112 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Coats, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Elliott, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay,

Lipscomb, Lowrey, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—57.

NOES—Cloyed, Collier, and Luckel—3

Assembly Bill No. 3112 ordered enrolled

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3434

At 4 45 p.m., on motion of Mr. Waters, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3434 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Waters—55.

NOES—Beck, Brady, Cloyed, Coats, Condon, Davis, Dickey, Dills, Dolwig, Evans, Hahn, Hansen, Hawkins, Lowrey, Lyon, Morris, Munnell, Silliman, and Smith—19.

Assembly Bill No. 3434 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 460—An act to add Sections 549, 550, 551, 552, 553, 554, and 555 to the Fish and Game Code, relating to fish screens

Bill read third time, and ordered passed on file.

Senate Bill No. 710—An act to amend Sections 73700 of the Political Code and 79.41 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Chapel, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Smith, Stewart, and Waters—52

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1824—An act to change the name of the California Vocational Institution to the Deuel Vocational Institution by amending the title of Article 4, Chapter 1, Title 1, Part 3 of the Penal Code, and by amending Sections 2035 to 2041 of said code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Levering,

Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Sillman, Smith, Stewart, Thomas, Waters, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 218

Mr. Levering asked for, and was granted unanimous consent to take up House Resolution No. 218, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 218

By Mr. Levering:

House Resolution No. 218

Relative to the powers and duties of the Assembly Interim Commitee on the Judicial System and Judicial Process

Resolved by the Assembly of the State of California, That in addition to the powers and duties heretofore given and imposed upon the Assembly Interim Committee on the Judicial System and Judicial Process (as created by House Resolution No. 168 of the 1951 Regular Session) the said committee is hereby authorized and directed to ascertain, study, and analyze all facts relating to, bearing upon or affecting the subject of unlawful transportation, keeping, depositing, concealment, and possession of narcotics in vehicles, with special attention to the subject matter of Assembly Bill No. 3437 of the 1951 Regular Session of the Legislature and particularly with respect to the protection of the property rights of the innocent legal owners of confiscated automobiles, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any way bearing upon or related thereto, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 106

Mrs. Niehouse asked for, and was granted unanimous consent to take up Assembly Concurrent Resolution No. 106, temporarily passed on file

PERMISSION GRANTED TO CONSIDER ASSEMBLY CONCURRENT RESOLUTION NO. 106

Pursuant to Joint Rule No. 23, with the consent of the Speaker, Mrs. Niehouse requested she be granted permission to consider Assembly Concurrent Resolution No. 106.

The roll was called, and Mrs. Niehouse was granted permission to consider Assembly Concurrent Resolution No 106 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—62.

NOES—None.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 106

Assembly Concurrent Resolution No. 106—Relative to directing the Joint Interim Committee on Water Problems to make a study of the water rights to the Santa Margarita-Temecula River System.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Crowley, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Kelly, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—56.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 217

Mr. Lincoln asked for, and was granted, unanimous consent to take up House Resolution No. 217, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 217

By Messrs. Sherwin and Dunn:

House Resolution No. 217

Relative to the passing of Judge J. A. Kennedy

WHEREAS, This House was saddened to hear of the death of Judge J. A. Kennedy, of Oakland; and

WHEREAS, Judge Kennedy, born in San Francisco 74 years ago, was graduated from St Mary's College, and admitted to the bar in 1905 to begin 30 years of outstanding practice of the law; appointed to the bench in 1936 as police judge, he was elected in April of this year to the municipal court; and

WHEREAS, Judge Kennedy was well known for his "pep talks" to his collegiate alma mater's football teams before their games with the University of California; he was a first member on the Oakland Planning Commission, a past Grand Knight of the Knights of Columbus, and had membership in the Elks, Moose, and Eagles, among others; and

WHEREAS, The steadfastness of his character, and abundancy of his contributions to the proper manner of juristic service, well noted and long admired by the bar and public, make his passing a serious loss; now, therefore, be it

Resolved by the Assembly of the State of California, That condolences be extended to the family of Judge Kennedy; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Mr. J. A Kennedy, Jr., 531 Valle Vista Street, Oakland, California.

Resolution read, and adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)
FURTHER CONSIDERATION OF SENATE BILL NO. 460

Senate Bill No. 460—An act to add Sections 549, 550, 551, 552, 553, 554, and 555 to the Fish and Game Code, relating to fish screens.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Lincoln, Lipscomb, Luckel,

Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rumford, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—54.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate

Senate Bill No. 574—An act providing for the designation of judicial districts and of the municipal or justice courts established therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Rumford, Smith, Stanley, Tomlinson, and Waters—50

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1168

Mr. Munnell asked for, and was granted unanimous consent to take up Senate Bill No. 1168, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1168

Senate Bill No. 1168—An act to add Section 31a to an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to traveling expenses of assigned judges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Lanterman, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—53.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1173

Mr. Munnell asked for, and was granted unanimous consent to take up Senate Bill No. 1173, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1173

Senate Bill No. 1173—An act to amend Section 117g of the Code of Civil Procedure, relating to judgments against one or more defendants, the action to proceed against other defendants, in small claims courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Crowley, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—57

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1189

Mr. Munnell asked for, and was granted unanimous consent to take up Senate Bill No 1189, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1189

Senate Bill No. 1189—An act to amend Section 14 to an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to judges and attaches in municipal courts of judicial districts of the first and one-half class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—57.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Joint Resolution No. 36—Relative to the need for materials for construction of additional school and college buildings in California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman,

Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Nielhouse, Parker, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, and Waters—60.
NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 257—An act to amend Sections 4905 and 4941 of the Education Code, relating to the Public School System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Rumford, Shaw, Sherwin, Smith, Stewart, and Waters—53.
NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 1834—An act to add Sections 21 and 1633 to the Welfare and Institutions Code, relating to notice to probation officers in respect to juveniles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stewart, and Waters—59.
NOES—None.

Bill ordered transmitted to the Senate.

APPOINTMENT TO INTERIM COMMITTEE

Speaker Sam L. Collins announced the appointment of Mr. Beck to membership on the Joint Interim Committee on Agriculture and Livestock Problems, vice Mr. Butters, deceased.

RECESS

At 5 15 p m., on motion of Mr. Sam L. Collins, the Assembly recessed until 8 p.m.

REASSEMBLED

At 8 p.m., the Assembly reconvened.

Hon Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No 407
Assembly Bill No. 1360
Assembly Bill No. 1914
Assembly Bill No 2218
Assembly Bill No 3431

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 2690
Assembly Bill No. 2808
Assembly Bill No. 2835

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 416—An act making an appropriation for the surveys, plans, estimates of cost, specifications and other engineering expenses for the construction of a toll bridge or other toll highway crossing of the Bay of San Francisco from the County of Marin to the County of Contra Costa, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Speaker Pro Tempore Presiding

At 9.05 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Demand for Previous Question

Messrs. Klocksiem, Lanterman, Luckel, Caldecott, and Cloyed demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 416.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Condon moved a call of the Assembly.

Motion carried. Time, 9.06 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Beck, Brady, Brown, Burkhalter, Collier, Sam L. Collins, Conrad, Dills, Erwin, Evans, Hahn, Hinckley, Kirkwood, Levering, Lincoln, McCarthy, McFall, Munnell, Parker, Rumford, Stanley, and Waters—22

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Sherwin asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 633—An act relating to Napa State Hospital and the use of money appropriated for a laundry and commissary warehouse

at said institution, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—63.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—63.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 847—An act to amend Section 496 of the Streets and Highways Code, relating to the State Highway System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Smith, Stanley, Thomas, and Waters—58.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 77—Relative to the creation of a Joint Legislative Committee on Soil Conservation and defining its powers and duties.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Waters—57.
NOES—None.

Resolution ordered transmitted to the Senate.

Senate Concurrent Resolution No. 80—Relative to the creation of the Joint Committee on Water Problems.

Resolution read.

Request for Unanimous Consent to Expunge Record, and Rescind Action on Senate Concurrent Resolution No. 80

Mr. Hagen asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, adopted Senate Concurrent Resolution No. 80.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—67

NOES—None

Resolution ordered transmitted to the Senate.

Senate Bill No. 1564—An act providing for research in reducing sea water to water suitable for domestic and agricultural uses in mass quantities and at low cost, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Thomas, Tomlinson, and Waters—57.

NOES—Luckel and Stewart—2.

Bill ordered transmitted to the Senate.

Senate Bill No. 415—An act to amend Section 2189 of, and to add Section 2923 to, the Revenue and Taxation Code, relating to the lien on real property of taxes on personal property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Smith, Stanley, Thomas, Tomlinson, and Waters—52.

NOES—Lowrey—1.

Motion to Amend Title

Mr. Brown moved the adoption of the following amendment to the title:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 21, 1951, after "of", strike out ", and to add Section 2923 to,"

Amendment read, and adopted.

Bill ordered reprinted, and transmitted to the Senate.

Speaker Presiding

At 9.20 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Senate Bill No. 305—An act to amend Sections 353, 458, and 507 of the Streets and Highways Code, relating to state highway routes.

Bill read third time, and ordered passed on file.

Senate Bill No. 695—An act to add Section 15032.5 to the Corporations Code, relating to partnerships.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Grunsky, Hansen, Hollibaugh, Kelly, Kirkwood, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, Meyers, Moss, Munnell, Niehouse, Porter, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—43

NOES—Beck, Brady, Collier, George D. Collins, Cooke, Davis, Elliott, Hagen, Hahn, Henderson, Hinckley, Kilpatrick, Klocksiem, Lanterman, McCarthy, McFall, McMillan, Rumford, Shaw, Sherwin, and Tomlinson—21.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 416

At 9.35 p.m., on motion of Mr. Condon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 416 passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Caldecott, Chapel, Coats, Collier, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Hagen, Hawkins, Henderson, Hollibaugh, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—53

NOES—Brown, Clarke, Cloyed, George D. Collins, Cooke, Davis, Dolwig, Geddes, Grunsky, Gubser, Hansen, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Lowrey, Luckel, Shaw, and Silliman—20.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN THE JOURNAL

Mr. McCollister asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to votes required to pass bill (pertaining to Senate Bill No 416), be ordered printed in the Journal, in 10 point type, as follows:

Opinion of Legislative Counsel

COPY

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, June 14, 1951

Honorable John F. McCarthy
Senate Chamber

VOTES REQUIRED TO PASS BILL—No. 9813

DEAR SENATOR MCCARTHY: You have asked us if a majority vote will be required to pass Senate Bill No. 416 in the Assembly, if the urgency clause therein is removed.

In our opinion a majority vote will be sufficient to pass the bill, if the urgency clause is stricken out.

It is required that bills in general be passed by majority vote (California Constitution, Art. IV, Sec. 15). The provisions of the California Constitution (Art. IV, Sec. 34a) requiring a two-thirds vote on bills appropriating from the General Fund do not apply to Senate Bill No. 416 because the bill appropriates from a special fund, the State Highway Fund, rather than from the General Fund.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By GLOYD T. CLOWDUS, Deputy

Two copies to Honorable George Miller, Jr., pursuant to Joint Rule 34.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 3096
Assembly Bill No. 3385

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Harold T. Johnson, Burns, and Mayo as a Second Committee on Conference concerning:

Assembly Bill No. 1071—An act to amend Section 50¾ of, and to add Section 52.1 to, the Public Utilities Act, and to amend Section 1066 of, and to add Sections 706, 707, 708, and 816.5 to, the Public Utilities Code, relating to public utilities.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 3448

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 102

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 102—Relative to the creation of the Joint Interim Committee on San Francisco-Oakland Bay Bridge Revenues.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1760

Mr. Crowley asked for, and was granted unanimous consent to take up Senate Bill No. 1760, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1760

Senate Bill No. 1760—An act creating the "Solano County Flood Control and Water Conservation District" for the purpose of controlling and conserving storm, flood and other surface waters for any beneficial use, and for the protection of life and property in said district, for the purpose of cooperating and contracting with the United States, the State of California, municipalities, reclamation, irrigation and other certain districts and political subdivisions for the storage and diversion, the transportation and delivery, and the selling or other disposition of such water, and the obtaining of water or water supply and the sale or other distribution of water; to provide for the powers of such district necessary to carry out its purposes including among other powers the right to contract, the right to acquire property and to acquire water or a water supply, the right to purchase and sell water, the right to acquire or construct or have constructed dams, conduits and other works for the control, conservation, diversion, transportation and distribution of such water, the right to make contributions in aid of construction and acquisition of such works and aid in obtaining water and a water supply, the right to assume indebtedness either as principal, guarantor or underwriter, certain rights to appropriate water, to acquire water rights and to sell water and to collect charges for water used; to provide for the organization, government and management of said district and establish the boundaries thereof, and to provide for certain powers, rights and liability of member units located within or partially within said district, and to provide for the appointment, powers, duties, liabilities and compensation of the officers and employees of said district; to provide certain officers and employees of the County of Solano shall be ex officio officers and employees of said district, to authorize the incurring of indebtedness, the voting and/or issuing and selling of bonds, the voting and/or levying of special assessments; the levying and collection of taxes; to provide that the existence, property and powers of municipalities or public districts and subdivisions located within or partially within said district shall not be affected by this act; and to empower municipalities, water conservation districts, reclamation districts, irrigation districts, flood control districts and any other political subdivision of the State empowered by law to appropriate water and to deliver it to users to enter into contracts with the district and to carry out the terms of said contracts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Chapel, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Shaw, Sherwin, Smith, Stanley, Stewart, and Thomas—59.

NOES—Geddes and Kirkwood—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1728

Mr. Dickey asked for, and was granted, unanimous consent to take up Senate Bill No. 1728, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1728

Senate Bill No. 1728—An act to amend the title and Section 4 of, and to add Section 4 3 to Chapter 1422 of the Statutes of 1945, relating to beaches, parks, and public recreation facilities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1985

Mr. Geddes asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Assembly Bill No. 1985, without reference to file.

UNFINISHED BUSINESS (RESUMED)
REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER The Committee on Conference concerning

Assembly Bill No. 1985 (As amended in Senate June 22, 1951)—An act to continue in effect an act entitled "An act to repeal Section 10 of an act entitled 'An act to repeal Chapters 2, 3, 4, 12, 13, 13 5, 13 6, 14, 15, 15 5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved May 28, 1947 (Chapter 401, Statutes of 1947), to provide for the continuance in effect of an act entitled 'An act to amend Section 10 of an act entitled "An act to repeal Chapters 2, 3, 4, 12, 13, 13 5, 13 6, 14, 15, 15.5, 16, and 16.5 of the Education Code, to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code, and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved May 28, 1947 (Chapter 401, Statutes of 1947); to repeal Sections 6713, 7039, 7052, 7064, 7068, 7117, 7126, 7128, and 7147 of the Education Code; to repeal Article 4 of Chapter 13, and Article 6 of Chapter 14, of Division 3 of said code, to add Article 4 to Chapter 13, Article 6 to Chapter 14, and Articles 1 and 13 5 to Chapter 15, of Division 3 of said code; to add Sections 5157, 7126, 7132, and 7151 to said code; to amend the headings of Articles 1 and 13 of Chapter 15 of Division 3 of said code, and to amend Sections 5152, 5153, 5156, 6703, 6714, 6812, 7002, 7012, 7023, 7032, 7033, 7034, 7035, 7036, 7037, 7038, 7041, 7061, 7062, 7063, 7067, 7081, 7091, 7092, 7094, 7095, 7101, 7103, 7111, 7112, 7113, 7114, 7115, 7116, 7121, 7122, 7124, 7130, 7146, 7146 1, 7148, 7149, 7150, 7208, 7231, and 9645 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved July 20, 1949 (Chapter 1017, Statutes of 1949) except Section 1 thereof; to repeal Sections 6714 and 7094 of the Education Code; to add Sections 5153 3 and 6904 to said code; and to amend Sections 7091, 7092, 7095, 7113, 7116, and 6951 of said code, to repeal Articles 2 and 3 of Chapter 15, Division 3 of said code and to add Articles 2 and 11 6 to Chapter 15, Division 3 of said code all relating to the Public School System," approved May 5, 1950 (Chapter 74, Statutes 1950

First Extraordinary Session), and the several chapters, articles, and sections of the Education Code continued in effect by said act, except as otherwise provided in this act or in any other act enacted by the 1951 Regular Session of the Legislature; to repeal Sections 2.5, 10, 12, and 13 of said act; to repeal Sections 5153.3, 6906, 7037, and 7062 of the Education Code; to repeal Articles 2, 3 and 11.6 of Chapter 15 of Division 3 of said code; to repeal Article 1 of Chapter 16 of Division 3 of said code; to amend Sections 7001, 7038, 7041, 7067, 7075, 7081, 7092, 7112, 7115, and 7125 of said code; to amend the heading of Article 12 of Chapter 15 of Division 3 of said code; to add Sections 5009, 5153.3, 5158, 6907, 7031.1, 7037, 7037.1, 7037.2, 7037.3, 7094, 7096, and 7117 of said code; to add Articles 2, 5.5 and 11.6 to Chapter 15 of Division 3 of said code; and to add Article 1 to Chapter 16 of Division 3 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following

That the amendments of the Senate be concurred in, and that the bill be further amended as follows.

Amendment No. 1

In line 78 of the title of the printed bill, as amended in the Senate on June 22, 1951, strike out "5158".

Amendment No. 1.5

In the title of said bill, strike out line 79, and insert "7037.2, 7037.3, 7094, 7096, 7117, 9618, and 9646 to said code;".

Amendment No. 1.6

On page 4 of said bill, strike out lines 27 to 29, inclusive

Amendment No. 2

On page 4, line 39, of said bill, after "jury audit", insert "or an audit by a certified public accountant or a public accountant employed by the district"

Amendment No. 3

On page 5 of said bill, strike out lines 1 to 21, inclusive.

Amendment No. 4

On page 6 of said bill, between lines 14 and 15, insert "This section shall become operative on July 1, 1952."

Amendment No. 4.5

On page 6, line 45, of said bill, before the period, insert "and adding the amounts allowed under Sections 7018.1 and 7018.2".

Amendment No. 5

On page 7, line 14, of said bill, strike out "in comput-"; and strike out all of lines 15 to 17, inclusive, and insert "determines excess costs under Section 9617."

Amendment No. 5.5

On page 7 of said bill, between lines 17 and 18, insert

"(c) "Total currency expenses of transportation" as used in Sections 7014, 7015, and 7016 does not include current expenses for the transportation of pupils for whose transportation the Superintendent of Public Instruction makes an allowance to the district under Section 7018.1."

Amendment No. 5.6

On page 11 of said bill, between lines 5 and 6, insert

"7018.1. In addition to all other amounts allowed to a school district under this article, the Superintendent of Public Instruction shall allow to each school district an amount equal to the cost of the district during the preceding fiscal year of transporting blind, deaf, cerebral palsied, and orthopedically handicapped minor pupils to and from special day classes but not in excess of three hundred fifty dollars ($350) for each unit of average daily attendance of such pupils during the next preceding fiscal year resulting from the attendance of such pupils on the special day classes to and from which they were transported by the district.

7018.2. The Superintendent of Public Instruction shall allow to the county school service fund of each county an amount equal to the cost to the county superintendent of schools during the preceding fiscal year of transporting blind, deaf, cerebral palsied, and orthopedically handicapped minor pupils to and from special day classes but not

in excess of three hundred fifty dollars ($350) for each unit of average daily attendance during the next preceding year resulting from the attendance of such pupils on the special day classes to and from which they were transported by the county superintendent of schools."

Amendment No. 6

On page 12, line 50, of said bill, strike out "ten dollars ($210)", and insert "twenty-five dollars ($225)".

Amendment No. 7

On page 18, line 7, of said bill, strike out "7184", and insert "7144".

Amendment No. 7.5

On page 18, line 45, of said bill, strike out "and high".

Amendment No. 7.6

On page 18, line 46, of said bill, strike out "10", and insert "15".

Amendment No. 8

On page 18 of said bill, strike out lines 48 to 51, inclusive; and on page 19, strike out lines 1 and 2.

Amendment No. 8.5

On page 20 of said bill, between lines 42 and 43, insert

"SEC. 29.5 Section 9618 is added to said code to read.

9618. In determining the excess cost incurred by a school district for the education of physically handicapped minor pupils under Section 9617, the Superintendent of Public Instruction shall exclude all current expenses of the district for the transportation of blind, deaf, cerebral palsied, and orthopedically handicapped minor pupils, referred to in Section 7018.1, to and from special day classes.

29.6. Section 9646 is added to said code to read:

9646. In determining the excess cost incurred by a county superintendent of schools for the education of physically handicapped minor pupils under Section 9645, the Superintendent of Public Instruction shall exclude all current expenses of the county superintendent of schools for the transportation of blind, deaf, cerebral palsied, and orthopedically handicapped pupils, referred to in Section 7018.2, to and from special day classes."

DILWORTH
WEYBRET
HULSE
Senate Committee on Conference

GEDDES
KIRKWOOD
Assembly Committee on Conference

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chaptel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McMillan, Meyers, Morris, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—61.

NOES—Doyle and Kilpatrick—2.

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McMillan, Meyers, Morris, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr Speaker—61.

NOES—Doyle and Kilpatrick—2.

Explanation of Failure to Be Recorded on Assembly Bill No. 1985

I wish to state that my failure to be recorded as voting on Assembly Bill No. 1985 was because of my absence in a Conference Committee on Assembly Bill No. 1071—the REA bill.

Had I been present I would have voted "Aye."

JOHN E. MOSS, JR.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 584

Mr. Lyon asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 584, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 584—An act to amend Section 737s of the Political Code, relating to the salary of judges of the superior court.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 584?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 14, 1951, strike out "737s of the Political Code", and insert "79.19 of the Code of Civil Procedure".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 79.19 of the Code of Civil Procedure is amended to read:

79.19. The annual salary of each of the judges of the Superior Court in and for the County of Los Angeles is [fifteen thousand dollars ($15,000)] *sixteen thousand seven hundred fifty dollars ($16,750)*."

Amendment No. 3

In line 1 of the title of the printed bill, as amended in the Senate on June 19, 1951, strike out "Section 79.19", and insert "Sections 79.19 and 79.37".

Amendment No. 4

On page 1 of said bill, as amended, after line 11, insert

"SEC. 2. Section 79.37 of said code is amended to read:

79.37. The annual salary of each judge of the Superior Court in and for the County of San Diego is [fifteen thousand dollars ($15,000)] *sixteen thousand seven hundred fifty dollars ($16,750)*."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 584 by the following vote:

AYES—Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Collier, Condon, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McMillan, Meyers, Munnell, Niehouse, Porter, Rosenthal, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—49.

NOES—None.

Assembly Bill No. 584 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1883

Mr. Shaw asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1883, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1883—An act to amend Sections 8354, 8355, 8356, and 8357 of the Revenue and Taxation Code and to amend Section 8 of an act entitled "An act to amend Section 8352 of, and to add Sections 8354 to 8358, inclusive, to, the Revenue and Taxation Code, relating to aviation and airports and the financing thereof, including revenue from

taxes on motor vehicle fuel," approved July 29, 1949, relating to the tax on motor vehicle fuel.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1883?

Amendment No. 1

In the title of the printed bill, as amended in the Assembly on May 30, 1951, strike out lines 4 to 6, inclusive, and insert "to amend Sections 8354, 8355, 8356, and 8357 of the Revenue and Taxation Code".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 2 to 11, inclusive; strike out all of pages 2, 3, and 4, and insert

"SECTION 1. Section 8354 of the Revenue and Taxation Code is amended to read:

8354. The board shall immediately after the close of each calendar [quarter] *year* transmit to the Controller a statement showing the total amount of taxes, interest, and penalties paid during such calendar [quarter] *year* in connection with motor vehicle fuel which is used or usable in propelling aircraft of a type heavier than air. The board shall require distributors and producers to keep such records and furnish such information, in their returns or otherwise, as will enable the board to comply with this section.

SEC. 2. Section 8355 of said code is amended to read:

8355. The Controller shall [quarterly] *annually* apportion pursuant to Section 8357 the difference between the total amount of taxes, interest, and penalties reported to him for each preceding [quarter] *year* pursuant to Section 8354 and the total of:

(a) Refunds paid pursuant to subdivision (a) of Section 8352 in connection with such taxes, interest, and penalties.

(b) Amounts paid pursuant to subdivisions (b), (c), and (e) of Section 8352 in connection with such taxes, interest, and penalties.

SEC. 3. Section 8356 of said code is amended to read:

8356 If the total amounts paid and to be paid described in subdivisions (a) and (b) of Section 8355 have not been determined before the Controller makes the apportionment pursuant to Sections 8355 and 8357, the Controller may estimate the amount to be paid pursuant to such sections during any [quarter of a] year and may pay to any county a sum not to exceed ninety percent (90%) of the amount estimated to be due to the county during the [quarterly period] *year*.

After the Controller has made a payment to a county based on his estimate and the amounts paid and to be paid described in subdivision (a) and (b) of Section 8355 have been determined, he shall compute the balance due and pay such balance to each of the counties to which payments have been made

SEC. 4. Section 8357 of said code is amended to read:

8357. The amount available to be apportioned pursuant to Section 8355 shall be apportioned among the several counties. There shall first be paid to each county the sum of two thousand five hundred dollars ($2,500) annually [or six hundred twenty-five dollars ($625) per quarter] and the balance shall be apportioned one-half in the proportion which the population of each county bears to the total population of the State, and one-half in the proportion which the area of each county bears to the total area of the State. Such population shall be that determined in the most recent federal decennial census.

In any county wherein there is located an airport owned by a city, 50 percent of the amount apportioned to such county shall be paid to such city. In the event that there is more than one such city within the county, the cities' share shall be divided among such cities in the proportion which the population of each city bears to the total population of airport-owning cities within the county.

SEC. 5. Section 8 of the act cited in the title hereof is repealed.

SEC. 6. Section 5 of this act shall become operative at the same time this act takes effect. Sections 1 to 4, inclusive, of this act shall become operative only with respect to motor vehicle fuel license taxes, interest, and penalties paid to the Controller on or after January 1, 1952, and Sections 8354 to 8358, inclusive, of the Revenue and Taxation Code as they read prior to the effective date of this act shall continue to

be applicable to such taxes, interest, and penalties paid to the Controller prior to January 1, 1952."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 1883 by the following vote:

AYES—Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, George D Collins, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Fleury, Gaffney, Grant, Gubser, Hahn, Hansen, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stewart, Thomas, and Waters—46.

NOES—Beck, Cooke, Hinckley, Kilpatrick, Lowrey, McMillan, Smith, and Stanley—8.

Assembly Bill No. 1883 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3451

Mr. Coats asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 3451, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3451—An act to add Section 402b to the Penal Code, relating to refrigerators, ice-boxes and chests of similar construction.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3451?

Amendment No. 1

On page 1, lines 4 and 5, of the printed bill, strike out ", ice box or chest of similar construction," and insert "or ice box, having a capacity of one and one-half cubic feet or more,".

Amendment No. 2

On page 1, line 6, of said bill, after "shut", insert "by means of an attached latch".

Amendment No. 3

On page 1, line 9, of said bill, after "misdemeanor", insert "and shall be punished by a fine of not more than fifty dollars ($50) or by imprisonment in the county jail for not more than five days, or by both; provided, that guilt of a violation of this section shall not, in itself, render one guilty of manslaughter, battery or other crime against a person who may suffer death or injury from entrapment in such ice box or refrigerator".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3451 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Connolly, Cooke, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McFall, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Thomas, Waters, and Mr. Speaker—51.

NOES—None.

Assembly Bill No. 3451 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2690

Mr Connolly asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2690, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2690—An act to repeal and add Section 63 to the California Water District Act, relating to revenue bonds of districts organized under said act, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2690?

Amendment No. 1

In line 2 of the title of the printed bill, after the comma, insert "and to amend Section 35975 of, and to add Sections 36152, 36303, 36304, and 36305 to, the Water Code, to repeal Article 4 of Chapter 2, Part 6, Division 13 of said code, and to repeal and add Article 3 of Chapter 3 and Article 3 of Chapter 4 of Part 6, Division 13 of said code,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2 of said bill, between lines 45 and 46, insert

"SEC. 2. Section 35975 of the Water Code is amended to read.

35975. After bonds have been delivered to the treasurer:

(a) General obligation bonds and the interest thereon are, until paid, a lien on the land.

(b) Revenue bonds and the interest thereon, are until paid, a lien, as specified in the bonds *and the proceedings authorizing their issuance*, on the revenues obtained from the sale of water for irrigation of the land at charges *fully* sufficient to [meet the payment of bond redemption and interest maturities] *pay the principal of and the interest on the bonds as the same mature*.

SEC. 3. Article 4 of Chapter 2, Part 6, Division 13 of said code is repealed.

SEC. 4. Section 36152 is added to said code, to read:

36152. General obligation bonds shall be investigated and certified in the same manner, by the same officers, and with the same force and effect as prescribed for the investigation and certification of bonds of irrigation districts by the provisions of Division 10 of this code.

SEC. 5. Article 3 of Chapter 3, Part 6, Division 13 of said code is repealed and added, to read:

Article 3. Miscellaneous Provisions

36190. General obligation bonds shall be substantially in the following form:

Issue _____ No. _____ For value received, _____ Water District, which has its office situated in the County of _____, State of California, promises to pay the holder hereof at the office of the treasurer of the district, on the _____ day of _____, 19___, the sum of _____ dollars in lawful money of the United States with interest at the rate of _____ percent per annum, payable at the office of the treasurer semiannually, on the _____ day of _____ and the _____ day of _____ in each year, on presentation and surrender of the interest coupons hereto attached. This bond is issued pursuant to an election held by the district on the _____day of _____, 19___, authorizing its issuance, and by authority of the California Water District Law.

In witness whereof, the district, by its board of directors, has caused this bond to be signed by the president of the board and attested by the secretary of the district, with the seal of the district attached, this _____ day of _____, 19___.

_____
President

Attest:

_____
Secretary

36191. General obligation bonds shall be payable in lawful money of the United States

36192. Each issue of general obligation bonds shall be numbered consecutively, and the bonds of each issue shall be numbered consecutively and bear the date of their issue.

36193. General obligation bonds shall be signed by the president and attested by the secretary.

36194. General obligation bonds shall be of the denomination of not less than one hundred dollars ($100) nor more than one thousand dollars ($1,000).

36195. General obligation bonds shall be payable on the first day of January or the first day of July of the years designated by the board, but in no case shall the maturity of any bonds be more than 40 years from its date

36196. Each general obligation bond shall be made payable at a given time for its full face value and not for a percentage thereof.

36197 A general obligation bond shall be payable when due upon presentation and surrender thereot to the treasurer by the holder.

36198. General obligation bonds shall bear interest at a rate not in excess of 7 percent per annum.

36199. The interest on general obligation bonds shall be payable semiannually on the dates stated in the bonds at the office of the treasurer upon the presentation and surrender of the proper coupons.

36200. The interest coupons shall be substantially in the following form:

No._____

The treasurer of _____ Water District, State of California, will pay the holder hereof, on the _____ day of _____, 19___, at his office in _____, _____ dollars, in lawful money of the United States, out of the funds of _____ Water District for interest on bond numbered _____ of the district.

Attest:

_____

Secretary of _____ Water District

36201. Coupons for each installment of interest shall be attached to the bonds, numbered the same as the bonds, and attested by the facsimile signature of the secretary.

SEC. 6. Sections 36303, 36304, and 36305 are added to said code, to read:

36303. The board may, in the resolution authorizing the issuance of revenue bonds, provide that the bonds or any part thereof shall be subject to call and redemption before maturity, at the option of the district, at such price or prices as may be fixed in the resolution, not exceeding a premium of 6 percent of the par value of the revenue bonds so subject to redemption.

36304. Revenue bonds issued subject to call and redemption prior to maturity shall contain a recital to that effect on the face of the revenue bonds, and no revenue bond shall be subject to call or redemption prior to its fixed maturity date unless it contains such recital.

36305 The board in its resolution authorizing the issuance of revenue bonds shall fix the method of giving notice of redemption to the holders of revenue bonds to be redeemed and the price or prices at which the revenue bonds shall be subject to redemption.

SEC. 7. Article 3 of Chapter 4, Part 6, Division 13 of said code is repealed and added, to read:

Article 3 Miscellaneous Provisions

36340. Revenue bonds and interest coupons attached thereto shall be in such form as may be prescribed by the board.

36341. The face of each revenue bond shall state:

(a) That the payment of redemption of the bond and the payment of the interest thereon is secured solely by a first and direct charge and lien upon all or the portion, as prescribed by the district by order or by contract, of the revenues received from the sale of water for the irrigation of the land

(b) That neither the payment of all or any part of the principal or interest thereon is a general debt, liability, or obligation of the district.

(c) That the bond is subject to call and redemption prior to maturity, if the board has so provided

36342 Revenue bonds shall be payable in lawful money of the United States.

36343 Each issue of revenue bonds shall be numbered consecutively and the bonds of each issue shall be numbered consecutively from lower to higher as they mature and shall bear such date as may be prescribed by the board

36344 The date appearing upon the face of a revenue bond shall be deemed to be the date of issuance irrespective of the subsequent delivery of the bond

36345. Revenue bonds shall be signed by the president and attested by the secretary, and interest coupons appertaining thereto shall be signed by the secretary.

36346. All the signatures on the bond or coupons may be printed, lithographed, engraved, or otherwise mechanically reproduced, except that one of the signatures shall be manually affixed.

36347. The seal of the district may be affixed to the revenue bonds by mechanical reproduction thereof

36348. If any officer whose signature appears on any revenue bond or coupon ceases to be such officer of the district before the delivery of the bonds to the purchaser, his signature on the bond or coupon is valid and sufficient for all purposes with like

force and effect as though he had remained in office until the actual delivery of the bonds and payment of the purchase price thereof.

36349. Revenue bonds shall be of the denomination of not less than one hundred dollars ($100) nor more than one thousand dollars ($1,000).

36350 Revenue bonds shall be payable at such time and place as may be designated by the board, but in no case shall the maturity of any bond be more than 40 years from its date.

36351. Every revenue bond shall be payable at a given time for its entire amount and not for a percentage thereof.

36352. Revenue bonds shall bear interest at a rate not in excess of 6 percent per annum, payable annually or semiannually as may be prescribed by the board.

SEC. 8. Revenue bonds of any district now outstanding are hereby validated in the form in which the same have been issued and delivered and shall constitute valid and legally binding obligations of the district payable in accordance with the terms appearing on the face of such bonds.

SEC. 9 Sections 2 to 8, inclusive, of this act become operative only if Division 13 of the Water Code is enacted by the Legislature at its 1951 Regular Session, and in such case at the same time as said Division 13 takes effect, at which time Section 63 of the California Water District Act, as repealed and added by this act, is repealed."

Amendment No. 3

On page 2, line 46, of said bill, strike out "2", and insert "10".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2690 by the following vote:

AYES—Beck, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Connolly, Cooke, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 2690 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2808

Mr. Lowrey asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2808, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2808—An act authorizing and directing the Department of Public Works, acting through the State Engineer, to make an investigation of and report on the water supplies of the Putah Creek Cone and adjacent areas in the Counties of Solano and Yolo, and making appropriation therefor.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2808?

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Assembly on May 16, 1951, after "Yolo", insert ", and on the water supplies of the Kaweah Delta area in Kings and Tulare Counties,".

Amendment No. 2

On page 1, line 12, of said bill, as amended, after "SEC. 2.", insert "The Department of Public Works, acting through the State Engineer, is authorized and directed, to the extent that funds therefor are made available pursuant to the provisions of this act, to make an investigation of, and report upon, the surface and underground water supplies of the Kaweah Delta area in Kings and Tulare Counties and areas adjacent

thereto, including but not limited to, the present utilization of water, future water requirements and possible sources of supplemental water supplies which may be necessary to meet present and ultimate requirements therefor, and the department may incorporate findings in such report as to feasible methods of solving the problems involved.

SEC. 3."

Amendment No. 3

On page 1, line 13, of said bill, as amended, after "of", insert "one hundred thousand dollars ($100,000),".

Amendment No. 4

On page 1, line 14, of said bill, as amended, after "($50,000)", insert "of which shall be available".

Amendment No. 5

On page 1, line 15, of said bill, as amended, strike out "to be available".

Amendment No. 6

On page 1, line 17, of said bill, as amended, after "act", insert ", and fifty thousand dollars ($50,000) of which shall be available to the Department of Public Works, acting through the State Engineer, for expenditure for the purpose of carrying out the objectives of Section 2 of this act, when moneys equal to or in excess of that amount have been made available for expenditure by the department for that purpose from sources other than the State Treasury or funds of any agency which is a part of the executive department of the State Government."

Amendment No. 7

In line 5 of the title of the printed bill, as amended in the Senate on June 21, 1951, after "of", insert "Lower and Western".

Amendment No. 8

On page 1, line 16, of said bill, as amended, after the second "the", insert "Lower and Western".

Amendment No. 9

On page 2, line 18, of said bill, as amended, strike out "equal to or in excess of that amount".

Amendment No. 10

On page 2, line 22, of said bill, as amended, after tthe period, insert "If less than fifty thousand dollars ($50,000) is made available from sources other than the State Treasury, the department may expend said amount and an amount equal thereto from the money herein appropriated in carrying out the objectives of Section 2 of this act."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2808 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Geddes, Grunsky, Hahn, Hansen, Hawkins, Hinckley, Holibaugh, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 2808 ordered enrolled.

Hon. William H. Rosenthal Presiding

At 10.15 p.m., Hon. William H. Rosenthal, Member of the Assembly from the Fortieth District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2835

Mr. Lowrey asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2835, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2835—An act to add Section 11011 to the Government Code, relating to lands under the jurisdiction of state agencies.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2835?

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on June 15, 1951, strike out "survey", and insert "review".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2835 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McFall, McGee, McMillan, Meyers, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63.
NOES—None.

Assembly Bill No. 2835 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3385

Mr. Fleury asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 3385, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3385—An act authorizing the expenditure of certain sums for construction, improvements, and equipment of a building in the County of Sacramento for the State Department of the California Highway Patrol, and to add Sections 13115.5 and 13115.6 to the Government Code, relating to the approval by the Department of Finance of investment of funds by certain state agencies, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3385?

Amendment No. 1

In lines 7 and 8 of the title of the printed bill, as amended in the Assembly on June 15, 1951, strike out ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2 of said bill, as amended, strike out all of lines 24 to 41, inclusive.

Amendment No. 3

On page 2, line 42, of said bill, as amended, strike out "2", and insert "3".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3385 by the following vote:

AYES—Babbage, Belotti, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Erwin, Fleury, Gaffney, Grunsky, Gubser, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Parker, Porter, Rosenthal,

Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—55.

NOES—Cloyed, Condon, and Hinckley—3.

Assembly Bill No. 3385 ordered enrolled.

Speaker Presiding

At 10.18 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3096

Mr. Hollibaugh asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 3096, without refering to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3096—An act to provide for the acquisition of land and improvements in that part of the City of Los Angeles, County of Los Angeles, known as Olvera Street, the Los Angeles Plaza, and the Pico-Garnier block as part of the State Park System and making an appropriation therefor.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3096?

Amendment No. 1

On page 1, lines 18 and 19, of the printed bill, as amended in the Assembly on June 12, 1951, strike out "public recreational facilities other than parks", and insert "ocean beaches".

Amendment No. 2

On page 1, line 12, of the printed bill as amended in the Senate on June 20, 1951, strike out "prefect", and insert "perfect".

Amendment No. 3

On page 2, line 1, of said bill, as amended, strike out "Park", and insert "Beach".

Amendment No. 4

On page 2 of said bill, as amended, strike out lines 34 to 36, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3096 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—59.

NOES—None.

Assembly Bill No. 3096 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF THE COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1489

Mr. McCarthy asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Senate Bill No. 1489, without reference to file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 1489—An act to repeal Section 3440 of, and to add Sections 3440 and 3440.1 to, and to amend Section 3440.5 of, the Civil Code, relating to transfers of particular personal property.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in and that the bill, as amended on June 20, 1951, be further amended as follows:

Amendment No. 1

On page 2, line 34, of the printed bill, as amended in the Assembly on June 20, 1951, strike out "township", and insert "judicial district".

Amendment No. 2

On page 2, line 36, of said bill, strike out "township", and insert "judicial district".

Amendment No. 3

On page 2, line 37, of said bill, strike out "township", and insert "judicial district".

O'GARA	McCARTHY
JAMES E. CUNNINGHAM	CONNOLLY
MILLER	FLEURY
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Lanterman, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—56.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 261

Mr. Brown asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Senate Bill No. 261, without reference to file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 261—An act to amend Section 22257, and to repeal Section 22264, of the Water Code, relating to water distribution by irrigation districts.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on June 20, 1951, strike out ", and to repeal Section 22264,".

Amendment No. 2

On page 1 of said bill, strike out lines 17 to 24, inclusive.

DONNELLY	BROWN
HULSE	HANSEN
WILLIAMS	GRUNSKY
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Munnell, Niehouse, Parker, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—53

NOES—Brady, Crowley, Dickey, and Geddes—4.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING SENATE AMENDMENTS TO SENATE BILL NO. 919

Mr. Kirkwood asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Senate Bill No 919, without reference to file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 919—An act to amend Section 28 of "An act to amend Section 753 of the Revenue and Taxation Code, to amend and renumber Sections 754 to 758, inclusive, 1831 to 1834, inclusive, and 1882.5 of said code, to add thereto new sections to be numbered 754, 757, 1831 to 1838, inclusive, 1904 to 1908, inclusive, and to add Article 4, comprised of Sections 2001 to 2005, inclusive, to Chapter 2, Part 3, Division 1 of said code, all relating to property taxation and providing for the assessment of property, the equalization of assessments and the adjustment thereof for allocations of State funds, and the adjustment of tax rates to promote equity in tax burdens and providing when certain provisions of this act shall take effect," approved July 29, 1949, relating to property taxation and the allocation of state funds, declaring the urgency thereof, to take effect immediately;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in and that the bill be further amended as follows:

Amendment No. 1

On page 7 of the printed bill, as amended in the Assembly on June 20, 1951, strike out lines 15 to 18, inclusive, and insert

"SEC. 28. The provisions of Sections 1 to 27, inclusive, of this act shall take effect on September 2, 1950, to the end".

Amendment No. 2

On page 7, line 20, of said bill, strike out "1954", and insert "1953".

Amendment No. 3

On page 7, line 27, of said bill, strike out "1954", and insert "1953".

BURNS	KIRKWOOD
HULSE	HOLLIBAUGH
PARKMAN	SILLIMAN
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall,

McMillan, Meyers, Morris, Moss, Niehouse, Parker, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, and Waters—59.
NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 3443

Mr. Kilpatrick asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Assembly Bill No. 3443, without reference to file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 3443—An act to amend Section 5501 of the Welfare and Institutions Code, relating to the commitment of sexual psychopaths

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on June 18, 1951, lines 3 to 6, inclusive, strike out "a criminal offense", and insert "any criminal offense, whether or not a sex offense,".

TENNEY	KILPATRICK
COOMBS	SMITH
JAMES E. CUNNINGHAM	BURKE
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Burke, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—61.
NOES—Caldecott—1.

Assembly Bill No. 3443 ordered enrolled.

Request for Unanimous Consent That Vote Be Changed Upon Roll Call

Mr. Caldecott asked for, and was granted, unanimous consent that his vote be changed upon the roll call on Assembly Bill No. 3443, and that he be recorded as voting "No," instead of "Aye."

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 553

Mr. Geddes asked for, and was granted unanimous consent to take up Senate Bill No. 553, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 553

Senate Bill No. 553—An act to amend Section 5 of the Principal and Income Act, relating to the treatment of stock dividends as principal or income.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—52.
NOES—George D. Collins—1

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3448

Mr. Tomlinson asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 3448, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3448—An act to amend Section 172 of the Penal Code, relating to selling, giving away, or exposing for sale intoxicating liquors.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 3448?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on June 13, 1951, strike out lines 8 to 22, inclusive; and strike out "3" in line 23, and insert "2."

Amendment No. 2

On page 2, line 31, of said bill, as amended, strike out "4.", and insert "3."

Amendment No. 3

On page 2, line 34, of said bill, as amended, strike out "5.", and insert "4."

Amendment No. 4

On page 2, line 5, of the printed bill, after "effective date of", insert "the amendments in 1951 to".

Amendment No. 5

On page 2, line 7, of said bill, after "area", insert "and the operation and transaction of business by the licensee under such license pursuant to any such license".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3448 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Crowley, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lincoln, Landsay, Lipscomb, Luckel, Lyon, Maloney, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—53.
NOES—Beck—1.

Assembly Bill No. 3448 ordered enrolled.

ANNOUNCEMENT

Speaker Sam L. Collins announced that shipping instructions and addresses are to be left in the desks of members for the Sergeant-at-Arms who will ship the belongings of each member at the close of the session.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1633

Mr. Brown asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Senate Bill No. 1633, without reference to file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER The Committee on Conference concerning:

Senate Bill No. 1633 (As amended in Assembly May 28, 1951)—An act to amend Sections 9403, 9405, 9406, 9407, 9408, [9410,] 9411, and 9412 of the Government Code, relating to witnesses before legislative committees.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 8 of the printed bill, as amended in the Assembly on May 28, 1951, after "9408," insert "9410,".

Amendment No. 2

On page 1 of said bill, strike out lines 12 to 18, inclusive, and insert "copy to the witness personally The service must be made so as to allow the witness a reasonable time for preparation and travel to the place of attendance. Each house of the Legislature shall, by rule or resolution, prescribe the amount of the fee to which a witness shall be entitled A witness may not demand pre-payment of such witness fee at the time the subpena is served unless the distance he is required to travel be more than 100 miles from his place of residence to the place of the committee hearing or meeting specified in the subpena, but may demand such fee upon his appearance before the committee at the time and place specified in the subpena."

Amendment No. 3

On page 2, line 45, of said bill, after the comma, insert "or upon the date to which the hearing on the order to show cause be postponed or continued,".

Amendment No. 4

On page 3 of said bill, after line 3, insert

"SEC. 6. Section 9410 of the Government Code is amended to read:

9410. A person sworn and examined before the Senate or Assembly, or any committee, cannot be held to answer criminally or be subject to any penalty or forfeiture for any fact or act touching which he is required after asserting his constitutional privilege against self-incrimination with respect thereto, to testify. Any statement made or paper produced by such witness after asserting his constitutional privilege against self-incrimination with respect thereto, is not competent evidence in any criminal proceeding against the witness. The witness cannot refuse to testify to any fact or to produce any paper touching which he is examined for the reason that his testimony or the production of the paper may tend to incriminate him, or to disgrace him or render him infamous. Nothing in this section exempts any witness from prosecution and punishment for perjury committed by him on examination nor shall this section be construed to confer immunity upon any person with respect to testimony which is not protected under the constitutional provision against self-incrimination.

Unless this section is read to the witness immediately after such witness is sworn, the witness shall be deemed to have asserted his constitutional right against self-incrimination with respect to each question asked and each book, paper or document produced by him."

Amendment No. 5

On page 3, line 24, of said bill, strike out "6", and insert "7".

Amendment No. 6

On page 3, line 44, of said bill, strike out "7", and insert "8".

WATSON	DOLWIG
HATFIELD	BROWN
WILLIAMS	
Senate Committee on Conference	Assembly Committee on Conference

Speaker Pro Tempore Presiding

At 10.37 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dolwig moved a call of the Assembly.

Motion carried. Time, 10.50 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Burkhalter, Crowley, Evans, Hinckley, Kelly, Morris, Niehouse, and Tomlinson—8.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Kirkwood asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1472

Mr. Kirkwood asked for, and was granted unanimous consent to take up Senate Bill No. 1472, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1472

Senate Bill No. 1472—An act to amend Section 2 of an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, re-enacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929,' and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts and continuing such districts under the provisions of this act with the powers herein conferred," approved June 16, 1931, relating to eminent domain and declaring the urgency thereof.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Parker, Porter, Rumford, Sherwin, Silliman, Stanley, Tomlinson, Waters, and Mr. Speaker—56.

NOES—Lowrey—1.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills,

Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Parker, Porter, Rumford, Sherwin, Silliman, Stanley, Tomlinson, Waters, and Mr. Speaker—56.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 63

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 416
Senate Bill No. 695
Senate Bill No. 1760

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1985—An act to repeal Chapters 2 and 15 of Division 3 of the Education Code, to repeal Article 1 of Chapter 16 of Division 3 of said code, to repeal Section 6851.1 of said code, to amend Section 6841 of said code, to add Chapters 2 and 15 to Division 3 of said code, to add Article 1 to Chapter 16 of Division 3 of said code, and to add Section 6905 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Assembly Bill No. 1985 ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 40—An act to amend Section 13926 of the Government Code, relating to awards made by the State Board of Control;

Assembly Bill No. 155—An act to amend Section 373 of the Elections Code, relating to indexes of registration;

Assembly Bill No. 302—An act to amend Section 261a.5 of, and to add Section 261h to, the Code of Civil Procedure, relating to shorthand reporters;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 10 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 464—An act to amend Section 303 of the Probate Code, relating to disqualification of judges;

Assembly Bill No. 589—An act to amend Section 9.3 of the Municipal Court Act of 1925, and providing for the constitution of the municipal court in a district embracing the City of San Diego, relating to municipal courts;

Assembly Bill No. 611—An act to provide for the transfer to the School Land Fund of the unexpended balance remaining on deposit in the School Land Deposit Fund, and making an appropriation;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 10 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 614—An act to abolish the War Bond Fund, to transfer to the Special Deposit Fund the unexpended balance remaining therein, and to appropriate such amount from the Special Deposit Fund for expenditure for the same purposes for which such amount is available for expenditure from the War Bond Fund immediately preceding such transfer;

Assembly Bill No. 671—An act to amend Section 395 of, and add Sections 389, 395.01, 395.02, 395.03, 395.04, 395.05 and 395.06 to, the Military and Veterans Code, relating to absence of public officers and employees on military or naval duty and compensation and salary during absence on military or naval leave, declaring the urgency thereof, to take effect immediately,

Assembly Bill No. 743—An act to amend Sections 79.36 and 79.42 of the Code of Civil Procedure, relating to superior judges' salaries;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 10 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 892—An act to add Sections 6381.1 and 6404 to the Revenue and Taxation Code, relating to the exemption of school districts from sales and use taxes;

Assembly Bill No. 955—An act to amend Sections 137, 137.5, 138, 139, 140, 141, and 146 of, and to add Sections 137.1, 137.2, 137.3, and 169.1 to, and to repeal Section 147 of, the Civil Code, relating to personal relations;

Assembly Bill No. 1345—An act providing for the constitution of the municipal court in a district embracing the City of Richmond, and prescribing the number and compensation of the judges, officers and attaches thereof;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 10 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1356—An act providing for the constitution of a municipal court in a district embracing the City of Oakland, and prescribing the number and compensation of the judges, officers and attaches thereof;

Assembly Bill No. 1400—An act providing for the constitution of the municipal court in a district embracing the City of Santa Barbara, and prescribing the number and compensation of the judges, officers and attaches thereof;

Assembly Bill No. 1412—An act providing for the constitution of the municipal court in a district embracing the City of Los Angeles, and prescribing the number and compensation of the judges, officers and attaches thereof;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 10 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1418—An act providing for the constitution of the municipal court in a district embracing the City of Glendale, and prescribing the number and compensation of the judges, officers and attaches thereof;

Assembly Bill No. 1463—An act to add Section 12.5 to the Municipal Court Act of 1925, relating to compensation of municipal court judges in Los Angeles County and to provide for the number and compensation of judges of municipal courts established in judicial districts in Los Angeles County;

Assembly Bill No. 1474—An act providing for the constitution of the municipal court in a district embracing the Cities of Fullerton, Anaheim, La Habra, Brea, and

Placentia, and prescribing the number and compensation of the judges, officers and attaches thereof;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 10 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1772—An act to amend Sections 203, 204, 204a, 206, 226, 227, 230, 231, 233, 248, and 250 of the Code of Civil Procedure, relating to jurors;

Assembly Bill No. 1841—An act to amend Sections 4850, 4853, and 4854 of the Labor Code, relating to disability payments;

Assembly Bill No. 1853—An act to amend Section 680 of the Vehicle Code, relating to inspection of vehicles and equipment;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 10 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1786—An act to amend Sections 17, 73e, 77b, 82, 83, 84, 85, 117, 117a, 117b, 117c, 117d, 117e, 117h, 117ha, 117i, 117j, 117l, 117o, 117p, 131.3, 134, 139, 142, 147, 149a, 150, 151, 152, 153, 166, 170, 170a, 171, 172, 188, 274c, 372, 406, 407, 408, 410, 412, 422, 426, 437, 437b, 437c, 446, 465, 472, 472a, 477, 480, 481, 482, 483, 492, 493, 494, 495, 496, 498, 499, 500, 503, 515, 520, 539, 540, 545, 548, 554, 555, 556, 573, 581, 581b, 581d, 585, 594, 596, 600, 607a, 628, 631, 632, 638, 639, 640, 641, 644, 664, 667a, 668, 674, 675, 681a, 682, 688.1, 683, 689, 692, 714, 715, 717, 717.1, 718, 719, 720, 721, 722, 973, 974, 975, 977, 978, 978a, 979, 981, 982, 990, 997, 1000, 1003, 1005, 1006, 1008, 1011, 1015, 1030, 1031, 1032, 1032.5, 1032.6, 1033, 1033.7, 1054, 1054.1, 1054a, 1068, 1085, 1103, 1134, 1135, 1144, 1146, 1148, 1149, 1151, 1166a, 1168, 1169, 1176, 1208.5, 1211, 1212, 1213, 1214, 1215, 1217, 1218, 1220, 1221, 1222, 1995, 2024, 2037, and 2038 of the Code of Civil Procedure; to amend the headings of Chapter 5 of Title 1 of Part 1, of Article 3 of Chapter 5 of Title 1 of Part 1, and of Chapter 3 of Title 13 of Part 2 of the Code of Civil Procedure; to repeal the heading of Article 4 of Chapter 5 of Title 1 of Part 1 of the Code of Civil Procedure; to repeal Chapter 6 of Title 1 of Part 1 of the Code of Civil Procedure; and to renumber Chapter 7 of Title 1 of Part 1 of the Code of Civil Procedure to be Chapter 6; all relating to courts of justice, various officers connected therewith, and judicial districts;

Assembly Bill No. 1955—An act to amend Section 694 of the Vehicle Code, relating to the size, weight, and loading of vehicles;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 10 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2109—An act to amend Section 7d of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to attaches in municipal courts in cities of the first and one-half class and attaches in the municipal court established in a judicial district embracing the City of Los Angeles;

Assembly Bill No. 2113—An act to amend Section 869 of the Penal Code, relating to the preparation of daily transcripts and the costs thereof;

Assembly Bill No. 2196—An act to amend Sections 2160.7 and 3044.1 of the Welfare and Institutions Code, relating to state reimbursement to counties for the cost of institutional care of certain aged and certain blind persons;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 10 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your committee on Legislative Procedure has examined:

Assembly Bill No. 2216—An act to amend Sections 737hh of the Political Code and 79.34 of the Code of Civil Procedure, relating to superior judges' salaries;

Assembly Bill No. 2307—An act to amend Sections 208 and 209 of the Unemployment Insurance Act, relating to disability benefits;

Assembly Bill No. 2362—An act to add Section 261a 7 to the Code of Civil Procedure, relating to reporters for superior courts,

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 10 p m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR SPEAKER: Your committee on Legislative Procedure has examined:

Assembly Bill No. 2367—An act to amend Sections 264, 286, 288, 288a, 311 and 647a of the Penal Code, relating to sex crimes;

Assembly Bill No. 2591—An act to amend Section 7372 of, and to add Section 7326 to, the Business and Professions Code, relating to regulation of the practice of cosmetology;

Assembly Bill No. 2605—An act to amend Section 61.6 of the Code of Civil Procedure, relating to the salary of the clerk of each district court of appeal;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 10 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR SPEAKER: Your committee on Legislative Procedure has examined:

Assembly Bill No. 2611—An act to add Section 9.5 to an act entitled "An act relating to the rights, powers, and disabilities of aliens and of certain companies, associations, and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holdings to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts and parts of acts inconsistent or in conflict herewith," approved as an initiative measure by the electors on November 2, 1920, relating to the ownership, use, and enjoyment of real property or of rights or interests therein; and making an appropriation;

Assembly Bill No. 2795—An act to amend Section 16091 of the Education Code, relating to readers for blind students, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2816—An act to amend Sections 7, 19, 23b, 24 2, 24 26, 24 27, 27b, 27c, 38 2, 39, 55 7, 59 and 59 5 of, and to add Sections 53 4, 53 55 and 55.8 to, the Alcoholic Beverage Control Act, relating to sales of alcoholic beverages at wholesale and at retail;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 10 p m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2885—An act to add Article 6, comprising Sections 20930 to 20934, inclusive, to Chapter 7 of Part 3 of Division 5 of Title 2 of the Government Code, relating to the State Employees' Retirement System in respect to credit for service to local public agencies;

Assembly Bill No. 2941—An act to add Section 585 4 to the Vehicle Code, relating to the removal of vehicles parked upon streets or highways by local authorities;

Assembly Bill No. 3056—An act to amend Section 402 of the Vehicle Code, relating to the liability of owners of motor vehicles,

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 10 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3066—An act making an additional appropriation for support of the Division of Forestry, Department of Natural Resources, to enable it to provide brush-burning fire protection service and to assist in range improvement programs, to take effect immediately;

Assembly Bill No. 3198—An act to amend Sections 14479, 14632, and 14635 of the Education Code, relating to the State Teachers' Retirement System;

Assembly Bill No. 3307—An act to add Section 4708 to the Labor Code, relating to workmen's compensation;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 10 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3323—An act to amend Section 261a.5 of, and to add Section 261h to, the Code of Civil Procedure, relating to phonographic reporters: salary: fees: taxation of fees as costs: transmission of fees to treasurer;

Assembly Bill No. 3410—An act to amend Sections 19601, 19601.5, 19601 6, 19607, 19608, 19613, 19613.1, 19613.5, and 19613.7 of, to add Sections 19601 1, 19601 7, 19602 3, 19602 5, 19607.1, 19607 2, 19607 3, 19607.4, and 19613 8 to, and to repeal Sections 19602 5 and 19614 5 of, the Education Code, relating to child care centers, making an appropriation, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 3423—An act to amend Sections 2160 and 2350 of the Welfare and Institutions Code, relating to old age security to inmates of private institutions;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 10 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3439—An act to add Section 6516 to the Revenue and Taxation Code relating to assessments for sales and use taxes;

And reports that the same has been correctly enrolled and presented to the Governor on the twenty-third day of June, 1951, at 10 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 104—Relative to the marriage of Charles W. Meyers;

And reports that the same has been correctly enrolled and presented to the Secretary of State on the twenty-third day of June, 1951, at 10 p.m.

BURKE, Chairman

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 841

Mr. George D. Collins asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 841, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 841—An act to add Section 2000 of the Government Code, dealing with the filing of claims against the State, district, county, city, or city and county.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 841?

Amendment No. 1

On page 2, line 1, of the printed bill, as amended in the Assembly on May 21, 1951, after "any", insert "local".

Amendment No. 2

On page 2, line 2, of said bill, as amended, strike out "public", and insert "publicly owned".

Amendment No. 3

On page 2, line 4, of said bill, as amended, after "against", strike out "the", and insert "such".

Amendment No. 4

In line 1 of the title of the printed bill, as amended in the Senate on June 6, 1951, strike out "2000", and insert "2003".

Amendment No. 5

On page 1, line 1, of said bill, as amended, strike out "2000", and insert "2003".

Amendment No. 6

On page 1, line 3, of said bill, as amended, strike out "2000", and insert "2003".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 841 by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Tomlinson, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 841 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1531—An act making an appropriation for the restoration and improvement of the Benicia State Capitol Historical Monument.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF SENATE BILL NO. 1186

Mr. Munnell asked for, and was granted unanimous consent to take up further consideration of Senate Bill No. 1186, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1186

Senate Bill No. 1186—An act to amend Section 7a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to attaches in municipal courts in cities of the first and one-half class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Munnell, Niehouse, Parker, Porter, Rosenthal, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—53.

NOES—Luckel and Morris—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. McCarthy asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 94, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 94

Senate Concurrent Resolution No. 94—Relative to effecting adequate information to California suppliers and declaring public policy thereon.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Dills, Elliott, Erwin, Fleury, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr Speaker—58.

NOES—Lowrey—1.

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Second Committee on Conference concerning:

Assembly Bill No. 1071—An act to amend Section 50¾ of, and to add Section 52.1 to, the Public Utilities Act, and to amend Section 1066 of, and to add Section 816.5 to, the Public Utilities Code, relating to public utilities.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 399—An act to amend Section 2110 of the Streets and Highways Code, relating to apportionments to counties payable from the Highway Users Tax Fund.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 919—An act to amend Sections 753, 2001, 2002, 2004, and 2005 of; to amend and renumber Sections 755, 756, 758, 759, 760, 1831, 1832, 1833, 1834, 1835, 1839, 1840, 1841, 1842, and 1843 of; to add Sections 1840.5 and 2006 to; and to repeal Sections 754, 757, 1836, 1837, 1904, 1905, 1906, 1907, and 1908 of the Revenue and Taxation Code, relating to property taxation and the allocation of state funds; declaring the urgency thereof, to take effect immediately.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 820
Assembly Bill No. 1797

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning.

Senate Bill No. 261—An act to amend Section 22257 of the Water Code, relating to water distribution by irrigation districts.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF SECOND COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1071

Mr. Hagen asked for, and was granted, unanimous consent to consider the report of the Second Committee on Conference concerning Assembly Bill No. 1071, without reference to file.

REPORT OF SECOND COMMITTEE ON CONFERENCE

The following report of Second Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: The Second Committee on Conference concerning:

Assembly Bill No. 1071 (As amended in Senate June 21, 1951)—An act to amend Section 50¾ of, and to add Section 52.1 to, the Public Utilities Act, and to amend Section 1066 of, and to add Sections 706, 707, 708, and 816.5 to, the Public Utilities Code, relating to public utilities

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in.

HAROLD T. JOHNSON	HAGEN
MAYO	MOSS
BURNS	
Senate Committee on Conference	Assembly Committee on Conference

Demand for Previous Question

Messrs. Waters, Rosenthal, Beck, Hahn, and Burke demanded the previous question.

Roll Call Demanded

Messrs. Moss, Rosenthal, and Sherwin demanded a roll call.

The roll was called, and the demand for the previous question not sustained by the following vote:

AYES—Beck, Belotti, Brown, Caldecott, Clarke, Coats, Condon, Connolly, Cooke, Davis, Dickey, Elliott, Fleury, Hagen, Henderson, Kilpatrick, Klocksiem, Lincoln, Lindsay, Lowrey, McFall, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Smith, and Thomas—29

NOES—Babbage, Berry, Burke, Burkhalter, Chapel, Cloyed, Collier, Conrad, Dolwig, Doyle, Erwin, Gaffney, Geddes, Grant, Hahn, Hansen, Hollibaugh, Kirkwood, Lanterman, Levering, Lipscomb, Lucke, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Niehouse, Porter, Sherwin, Silliman, Stanley, Stewart, Tomlinson, and Waters—36.

The question being on the adoption of the report of the Second Committee on Conference concerning Assembly Bill No. 1072.

Point of Order

Mr. Chapel arose to the following point of order: That pursuant to Rule No. 80 the amendments in the report of the Second Committee on Conference are not germane.

Ruling

At the request of the Speaker, who preferred that the House rule upon this point of order, the roll was called, and the House ruled the amendments were not germane by the following vote:

AYES—Beck, Caldecott, Coats, George D. Collins, Condon, Cooke, Davis, Elliott, Gaffney, Geddes, Gubser, Hagen, Henderson, Lincoln, Lowrey, Maloney, McFall, Moss, Parker, Rumford, Shaw, and Thomas—22.

NOES—Belotti, Berry, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Erwin, Grant, Hahn, Hansen, Hawkins, Hollibaugh, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Porter, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—43.

Report of the Second Committee on Conference concerning Assembly Bill No. 1071, by virtue of the above action, was automatically refused adoption.

Appointment of Third Committee on Conference Concerning Assembly Bill No. 1071

The Speaker announced the appointment of Messrs. Lindsay, McFall, and Caldecott as a Third Committee on Conference concerning Assembly Bill No. 1071.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 251

Mr. Munnell asked for, and was granted, unanimous consent to take up House Resolution No. 251, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 251

By Mr. Munnell:

House Resolution No. 251

Relative to directing the Assembly Interim Committee on Revenue and Taxation to study certain facts relating to liquor taxation

WHEREAS, The cost of State Government is necessarily increasing, and it is deemed advisable to allot the supporting taxes in the most equitable means practical; and

WHEREAS, California has the lowest liquor tax rates in the Nation; and

WHEREAS, There have been no major increases in the state liquor taxes for over 15 years; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Revenue and Taxation is hereby authorized and directed to ascertain, study and analyze all facts relating to (a) California's liquor tax structure in relation to those of other states of the United States;

(b) The retail price rates of liquor with respect to the amount of liquor tax in each state; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 207

Mr. Dolwig asked for, and was granted unanimous consent to take up House Resolution No. 207, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 207

By Mr. Dolwig:

House Resolution No. 207

Relative to augmenting the funds of the Special Assembly Committee on Legislative Representation

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available the sum of _____ dollars ($_____), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the Special Assembly Committee on Legislative Representation (created by Rule 21 of the Permanent Standing Rules of the Assembly for the 1951 Regular Session, adopted by House Resolution No. 23 of the 1951 Regular Session) and its members and for any charges, expenses, or claims it may incur under said rule and resolution, to be paid from said Contingent Fund and disbursed after certification by the chairman of the committee upon warrants drawn by the State Controller on the State Treasurer.

Resolution read.

Motion to Amend

Mr. Dolwig moved the adoption of the following amendment:

Amendment No. 1

In the second line of the first *Resolved* clause of the resolution, as printed in the Assembly Journal for June 15, 1951, at pages 5715 and 5716, strike out "_____ dollars ($_____)", and insert "five thousand dollars ($5,000)".

Amendment read, and adopted.

Consideration of House Resolution No. 207, as Amended

By Mr. Dolwig:

House Resolution No. 207

Relative to augmenting the funds of the Special Assembly Committee on Legislative Representation

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available the sum of five thousand dollars ($5,000), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the Special Assembly Committee on Legislative Representation (created by Rule 21 of the Permanent Standing Rules of the Assembly for the 1951 Regular Session, adopted by House Resolution No. 23 of the 1951 Regular Session) and its members and for any charges, expenses, or claims it may incur under said rule and resolution, to be paid from said Contingent Fund and disbursed after certification by the chairman of the committee upon warrants drawn by the State Controller on the State Treasurer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Erwin, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—59.

NOES—None.

Speaker Pro Tempore Presiding

At 11.40 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Byrne, Ed. C. Johnson, and Thompson as a Third Committee on Conference concerning:

Assembly Bill No. 1071—An act to amend Section 50¾ of, and to add Section 52.1 to, the Public Utilities Act, and to amend Section 1066 of, and to add Section 816.5 to, the Public Utilities Code, relating to public utilities.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1018

Mr. Sam L. Collins asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1018, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1018—An act to add Sections 53 and 3928.1 to, and to amend Section 3946 of, the Elections Code, relating to ballots.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1018?

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on April 18, 1951, strike out "ballots", and insert "designation of party affiliation of candidates on ballots; and providing for the submission thereof to the electors for approval or rejection pursuant to Paragraph 3 of Section 1 of Article IV of the California Constitution".

Amendment No. 2

After the ballot form numbered 2, attached to the printed bill, insert

"SEC. 3. This act shall be presented to the electors for approval or rejection on the ballot at the same election at which is presented an initiative measure titled "An act to prohibit cross filing and to prevent any person from becoming a candidate or nominee of any political party unless he has been continuously registered as a member of that party for at least three months immediately prior to filing of nomination papers for the office he seeks and to invalidate any law in conflict with this act," as an alternative to such measure, pursuant to Paragraph 3 of Section 1 of Article IV of the California Constitution."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1018 by the following vote:

AYES—Babbage, Belotti, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Crowley, Dolwig, Doyle, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Morris, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—48.

NOES—Beck, Berry, Coats, George D. Collins, Condon, Elliott, Gaffney, Hagen, Hawkins, Henderson, Kilpatrick, Lowrey, McFall, Moss, Munnell, Parker, and Shaw—17.

Assembly Bill No. 1018 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1684

Mr. Grunsky asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1684, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1684—An act to amend Section 7056 of the Business and Professions Code, relating to general engineering contractors.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1684?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on June 11, 1951, strike out lines 1 to 7, inclusive.

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1684 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Tomlinson, and Waters—63.
NOES—Lowrey—1.

Assembly Bill No. 1684 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF THIRD COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1071

Mr. Lindsay asked for, and was granted, unanimous consent to consider the report of the Third Committee on Conference concerning Assembly Bill No. 1071, without reference to file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Third Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR SPEAKER: The Third Committee on Conference concerning:

Assembly Bill No. 1071—(As amended in Senate June 21, 1951)—An act to amend Section 50¾ of, and to add Section 52 1 to, the Public Utilities Act, and to amend Section 1066 of, and to add Sections 706, 707, 708, and 816 5 to, the Public Utilities Code, relating to public utilities.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Senate on June 21, 1951, strike out "Sections 706, 707, 708 and", and insert "Section".

Amendment No. 2

On page 5 of said bill, strike out lines 14 to 51, inclusive; and on page 6, strike out lines 1 to 10, inclusive.

ED C JOHNSON	CALDECOTT
BYRNE	McFALL
THOMPSON	LINDSAY
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Erwin, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Parker, Porter, Rumford, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—55.
NOES—Beck, Hahn, Kilpatrick, Lowrey, and Munnell—5.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1109

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1109

Mr. Rumford asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1109, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1109—An act to amend Sections 26209, 26233, 26235, 26252, 26253, 26271(a), 16272, 26273, 26274, and 26288 of, and to add Sections 26211.5 and 26286.5 to and to repeal Sections 26251, 26271, of the Health and Safety Code, relating to adulterating, misbranding, and advertising of drugs and devices.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1109?

Amendment No. 1

On page 2, line 23, of the printed bill, as amended in the Senate on June 20, 1951, strike out "of", and insert "or".

Amendment No. 2

On page 3, line 11, of said bill, as amended, after "deemed", insert "mislabeled or".

Amendment No. 3

On page 2, line 36, of said bill, as amended, after "therefor", strike out the comma and insert a period; and strike out the balance of the line and lines 37 and 38.

Amendment No. 4

On page 3 of said bill, as amended, strike out lines 7, 8, and 9.

Amendment No. 5

On page 3 of said bill, as amended, strike out lines 17, 18, 19, and 20

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1109 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Erwin, Fleury, Gaffney, Gaddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—67.

NOES—None.

Assembly Bill No. 1109 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted, as amended:

Assembly Concurrent Resolution No. 105

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered to unfinished business file.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY CONCURRENT RESOLUTION NO. 105

Mr. Cloyed asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Concurrent Resolution No. 105, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Concurrent Resolution No. 105—Relative to advertising by Dairy Industries Advisory Board.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Concurrent Resolution No. 105?

Amendment No. 1

On page 1, lines 11 and 12, of the printed resolution, strike out "endeavor to place a greater proportion", and insert "to investigate the placing of".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Concurrent Resolution No. 105 by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Clarke, Cloyed, Condon, Conrad, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Nichouse, Parker, Porter, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—45.

NOES—Cooke, Geddes, and Shaw—3.

Assembly Concurrent Resolution No. 105 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1018
Assembly Bill No. 1684

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 109

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 1186
Senate Bill No. 1472
Senate Bill No. 1531

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Third Committee on Conference concerning:

Assembly Bill No. 1071—An act to amend Section 50¾ of, and to add Section 52.1 to, the Public Utilities Act, and to amend Section 1066 of, and to add Sections 706, 707, 708, and 816.5 to, the Public Utilities Code, relating to public utilities.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Assembly Bill No. 1071 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 256

Mr. Hagen asked for, and was granted unanimous consent to take up House Resolution No. 256, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 256

By Mr. Hagen:

House Resolution No. 256

Relative to directing the Assembly Interim Committee on Conservation, Planning and Public Works to undertake a special investigation

Resolved by the Assembly of the State of California, That in addition to the duties imposed on it by the resolution creating it, the Assembly Interim Committee on Conservation, Planning and Public Works is authorized and directed to ascertain, study and analyze all facts relating to the subject matter expressed in House Resolution No. 224 of this session of the Legislature and to report to the Legislature at its 1953 Regular Session.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 240

Mr. Doyle asked for, and was granted, unanimous consent to take up House Resolution No. 240 without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 240

By Mr. Doyle:

House Resolution No. 240

Relating to commending the Chaplain of the Assembly, The Reverend Clarence A. Kircher, and authorizing the printing of the prayers of the Assembly in book form

WHEREAS, The Reverend Clarence A. Kircher, Chaplain of the Assembly, during the 1951 Regular Session of the Legislature, has, by his prayers each morning brought to this body valuable inspiration and guidance, and has reminded the members of their obligation not only to their God but to their fellow men, to the State, and the Nation; and

WHEREAS, His intellectual attainments have compelled the admiration of all within his hearing and have won the personal regard of all the members; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly does hereby express to The Reverend Clarence A. Kircher its sincere appreciation for the spiritual guidance he has rendered this body during this session of the Legislature, and for the inspiration which the members have derived from his prayers; and be it further

Resolved, That the Chief Clerk is hereby authorized and instructed to have printed 350 copies of a booklet containing the prayers offered in the Assembly at this session; that he send one of said copies to each Member of the Assembly; and that he transmit the remaining copies to The Reverend Clarence A. Kircher together with an engrossed copy of this resolution.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In lines 1 and 2 of the title of the printed measure, as printed in the Assembly Journal for June 21, 1951, at pages 6080 and 6081, strike out "commending the Chaplain of the Assembly, the Reverend Clarence A. Kircher and".

Amendment No. 2

Strike out the first and second "WHEREAS" clauses, and the first "*Resolved*" clause, of said measure.

Amendment No. 3

In the first line of the last "*Resolved*" clause, strike out the comma, and insert "by the Assembly of the State of California,".

Amendments read, and adopted.

Consideration of House Resolution No. 240, as Amended

By Mr. Doyle:

House Resolution No. 240

Relating to authorizing the printing of the prayers of the Assembly in book form

Resolved by the Assembly of the State of California, That the Chief Clerk is hereby authorized and instructed to have printed 350 copies of a booklet containing the prayers offered in the Assembly at this session; that he send one of said copies to each Member of the Assembly; and that he transmit the remaining copies to The Reverend Clarence A. Kircher together with an engrossed copy of this resolution

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Speaker Presiding

At 11 55 p.m, Hon. Sam L. Collins, Speaker of the Assembly, presiding.

RESOLUTIONS

The following resolutions were offered:

By Mr. Lyon:

House Resolution No. 265

Resolved, That the Speaker appoint a Committee of Five to notify the Senate that the Assembly is ready to adjourn sine die and ask if the Senate has any further communications to transmit to this House

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 265, at this time, without reference to committee or file.

Resolution read, and adopted.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 265, the Speaker announced the appointment of Messrs. Lyon, Beck, Coats, Dolwig, Erwin, and Hinckley as such Select Committee to wait upon the Senate.

By Mr. Hollibaugh:

House Resolution No. 266

Resolved, That the Speaker appoint a Committee of Five to wait upon His Excellency, the Governor of the State of California, and inform him that the Assembly has concluded its labors and awaits his further pleasure.

Request for Unanimous Consent

Mr. Hollibaugh asked for, and was granted, unanimous consent to take up House Resolution No. 266, at this time, without reference to committee or file.

Resolution read, and adopted.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 266, the Speaker announced the appointment of Messrs. Fleury, Hollibaugh, Moss, Meyers, and Maloney as such Select Committee to wait upon the Governor.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON CONFERENCE REPORT CONCERNING SENATE BILL NO. 1633

At 11.58 p.m., on motion of Mr. Dolwig, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the report of the Committee on Conference concerning Senate Bill No. 1633 refused adoption by the following vote:

AYES—Babbage, Belotti, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dolwig, Erwin, Geddes, Grant, Grunsky, Gubser, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McGee, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—40.

NOES—Beck, Berry, Brady, Coats, George D. Collins, Condon, Cooke, Davis, Dills, Doyle, Elliott, Fleury, Gaffney, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kilpatrick, Lincoln, Lowrey, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Thomas, and Mr. Speaker—36.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER. Your Committee on Agriculture, to which were referred:

Assembly Bill No. 7	Assembly Bill No. 2210
Assembly Bill No. 56	Assembly Bill No. 2228
Assembly Bill No. 598	Assembly Bill No. 2278
Assembly Bill No. 793	Assembly Bill No. 2346
Assembly Bill No. 807	Assembly Bill No. 2351
Assembly Bill No. 873	Assembly Bill No. 2354
Assembly Bill No. 941	Assembly Bill No. 2356
Assembly Bill No. 942	Assembly Bill No. 2358
Assembly Bill No. 1084	Assembly Bill No. 2359
Assembly Bill No. 1095	Assembly Bill No. 2483
Assembly Bill No. 1096	Assembly Bill No. 2546
Assembly Bill No. 1143	Assembly Bill No. 2618
Assembly Bill No. 1184	Assembly Bill No. 2660
Assembly Bill No. 1497	Assembly Bill No. 2680
Assembly Bill No. 1548	Assembly Bill No. 2681
Assembly Bill No. 1737	Assembly Bill No. 2740
Assembly Bill No. 2014	Assembly Bill No. 2765

Respectfully reports the same back without further action.

CLARKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 2950	Assembly Bill No. 3228
Assembly Bill No. 3219	Assembly Bill No. 3292

Respectfully reports the same back without further action.

CLARKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 88	Assembly Bill No. 540
Assembly Bill No. 502	Assembly Bill No. 2482

Respectfully reports the same back without further action.

CLARKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Senate Bill No. 762
Senate Bill No. 931
Senate Bill No. 1250
Senate Bill No. 1255

Respectfully reports the same back without further action.

CLARKE, Chairman

Above reported bills ordered transmitted to the Senate.

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred.

Assembly Bill No. 1549

Respectfully reports the same back without further action; and recommends that the subject matter of the bill be referred to the Interim Committee on Fairs and Expositions.

CLARKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 2357

Respectfully reports the same back without further action; and recommends that the subject matter of the bill be referred to the Interim Committee on Fairs and Expositions.

CLARKE, Chairman

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which were referred:

Assembly Bill No. 260
Assembly Bill No. 846
Assembly Bill No. 1747
Assembly Bill No. 2221
Assembly Bill No. 2222
Assembly Bill No. 2223
Assembly Bill No. 2257
Assembly Bill No. 2329
Assembly Bill No. 2338
Assembly Bill No. 2339
Assembly Bill No. 2381
Assembly Bill No. 2407
Assembly Bill No. 2414
Assembly Bill No. 2420
Assembly Bill No. 2421
Assembly Bill No. 2422
Assembly Bill No. 2536

Respectfully reports the same back without further action.

McMILLAN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which were referred:

Assembly Bill No. 2682
Assembly Bill No. 2683
Assembly Bill No. 2684
Assembly Bill No. 2685
Assembly Bill No. 2686
Assembly Bill No. 2687
Assembly Bill No. 2697
Assembly Bill No. 2716
Assembly Bill No. 2813
Assembly Bill No. 2814
Assembly Bill No. 2815
Assembly Bill No. 2847
Assembly Bill No. 2862
Assembly Bill No. 2876
Assembly Bill No. 2879
Assembly Bill No. 3033
Assembly Bill No. 3071

Respectfully reports the same back without further action.

McMILLAN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which were referred:

Assembly Bill No. 3081
Assembly Bill No. 3094
Assembly Bill No. 3095
Assembly Bill No. 3187
Assembly Bill No. 3225
Assembly Bill No. 3301
Assembly Bill No. 3304
Assembly Bill No. 3328
Assembly Bill No. 3329
Assembly Bill No. 3366
Assembly Bill No. 3426
Assembly Bill No. 3441

Respectfully reports the same back without further action.

McMILLAN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 3395

Has had the same under consideration, and reports the same back with the recommendation: Refer to Interim Committee on Boards and Commissions.

McMILLAN, Chairman

Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Assembly Bill No. 280
Assembly Bill No. 483
Assembly Bill No. 491
Assembly Bill No. 633
Assembly Bill No. 651
Assembly Bill No. 760
Assembly Bill No. 761
Assembly Bill No. 1025
Assembly Bill No. 1055
Assembly Bill No. 1156
Assembly Bill No. 1244
Assembly Bill No. 1304
Assembly Bill No 1624
Assembly Bill No 1625
Assembly Bill No 1626
Assembly Bill No. 1627
Assembly Bill No. 1629
Assembly Bill No. 1630
Assembly Bill No 1912
Assembly Bill No. 1959
Assembly Bill No. 1965
Assembly Bill No. 1966
Assembly Bill No. 2198
Assembly Bill No. 2373
Assembly Bill No. 2405
Assembly Bill No 2731
Assembly Bill No 2773
Assembly Bill No. 2869
Assembly Bill No. 2932
Assembly Bill No. 3344

Respectfully reports the same back without further action.

CALDECOTT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Senate Bill No 178
Senate Bill No. 1110
Senate Bill No. 1550

Respectfully reports the same back without further action.

CALDECOTT, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 8
Assembly Bill No. 420
Assembly Bill No. 526
Assembly Bill No. 655
Assembly Bill No. 1507
Assembly Bill No. 1518
Assembly Bill No. 1610
Assembly Bill No. 1635
Assembly Bill No. 1636
Assembly Bill No 1809
Assembly Bill No. 1845
Assembly Bill No. 1899
Assembly Bill No. 2063
Assembly Bill No. 2074
Assembly Bill No 2247
Assembly Bill No. 2215
Assembly Bill No. 2246
Assembly Bill No. 2360
Assembly Bill No. 2481
Assembly Bill No. 2532
Assembly Bill No. 2720
Assembly Bill No. 2721
Assembly Bill No. 2767
Assembly Bill No. 2799
Assembly Bill No. 2906
Assembly Bill No. 2911
Assembly Bill No. 2912
Assembly Bill No. 2913
Assembly Bill No 2915
Assembly Bill No 2916
Assembly Bill No. 2917
Assembly Bill No. 2918
Assembly Bill No. 2919
Assembly Bill No. 3052

Respectfully reports the same back without further action.

DICKEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 3104
Assembly Bill No. 3115
Assembly Bill No. 3124
Assembly Bill No 3125
Assembly Bill No. 3126
Assembly Bill No. 3127
Assembly Bill No. 3129
Assembly Bill No. 3130
Assembly Bill No 3131
Assembly Bill No. 3133
Assembly Bill No 3134
Assembly Bill No. 3135
Assembly Bill No. 3136
Assembly Bill No. 3137
Assembly Bill No. 3138
Assembly Bill No. 3139
Assembly Bill No 3459

Respectfully reports the same back without further action.

DICKEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 1250
Assembly Bill No. 3132

Has had the same under consideration, and reports the same back with the recommendation: Refer subject matter to proper interim committee.

DICKEY, Chairman

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which were referred.

Assembly Constitutional Amendment No. 3
Assembly Constitutional Amendment No. 4
Assembly Constitutional Amendment No. 6
Assembly Constitutional Amendment No. 7
Assembly Constitutional Amendment No. 10
Assembly Constitutional Amendment No. 11
Assembly Constitutional Amendment No. 12
Assembly Constitutional Amendment No. 14
Assembly Constitutional Amendment No. 15
Assembly Constitutional Amendment No. 17
Assembly Constitutional Amendment No. 18
Assembly Constitutional Amendment No. 21
Assembly Constitutional Amendment No. 22
Assembly Constitutional Amendment No 23
Assembly Constitutional Amendment No. 25
Assembly Constitutional Amendment No. 26
Assembly Constitutional Amendment No. 27
Assembly Constitutional Amendment No. 28
Assembly Constitutional Amendment No. 30
Assembly Constitutional Amendment No 31
Assembly Constitutional Amendment No. 32
Assembly Constitutional Amendment No 33
Assembly Constitutional Amendment No. 37
Assembly Constitutional Amendment No. 38
Assembly Constitutional Amendment No. 39
Assembly Constitutional Amendment No. 42
Assembly Constitutional Amendment No. 43
Assembly Constitutional Amendment No. 44
Assembly Constitutional Amendment No. 45
Assembly Constitutional Amendment No. 46
Assembly Constitutional Amendment No. 47
Assembly Constitutional Amendment No. 48
Assembly Constitutional Amendment No. 50
Assembly Constitutional Amendment No. 53
Assembly Constitutional Amendment No. 56
Assembly Constitutional Amendment No. 65
Assembly Constitutional Amendment No 66

Respectfully reports the same back without further action.

CROWLEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 64

Respectfully reports the same back without further action.

CROWLEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which were referred:

Senate Constitutional Amendment No. 6
Senate Constitutional Amendment No. 9
Senate Constitutional Amendment No. 11
Senate Constitutional Amendment No. 21
Senate Constitutional Amendment No. 25

Respectfully reports the same back without further action.

CROWLEY, Chairman

Above reported resolutions ordered transmitted to the Senate.

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Bill No. 2305

Respectfully reports the same back without further action.

CROWLEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Bill No. 3091

Respectfully reports the same back without further action.

CROWLEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 60

Has had the same under consideration, and respectfully reports the same back without further action, and be referred to Revenue and Taxation Interim Committee.

CROWLEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 61

Has had the same under consideration, and respectfully reports the same back without further action, and be referred to Judiciary Interim Committee.

CROWLEY, Chairman

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 4
Assembly Bill No. 5
Assembly Bill No. 29
Assembly Bill No. 96
Assembly Bill No. 220
Assembly Bill No. 221
Assembly Bill No. 364
Assembly Bill No. 427
Assembly Bill No 551
Assembly Bill No. 656
Assembly Bill No. 662
Assembly Bill No. 738
Assembly Bill No. 739
Assembly Bill No. 819
Assembly Bill No. 867
Assembly Bill No. 870
Assembly Bill No. 871
Assembly Bill No. 872
Assembly Bill No. 874
Assembly Bill No. 875
Assembly Bill No. 876
Assembly Bill No. 946
Assembly Bill No. 1026
Assembly Bill No. 1062
Assembly Bill No. 1077
Assembly Bill No. 1085
Assembly Bill No. 1115
Assembly Bill No. 1279
Assembly Bill No. 1560
Assembly Bill No. 1576
Assembly Bill No. 1588
Assembly Bill No. 1589
Assembly Bill No. 1590
Assembly Bill No. 1591
Assembly Bill No. 1592
Assembly Bill No. 1594
Assembly Bill No. 1595
Assembly Bill No. 1692
Assembly Bill No 1700
Assembly Bill No. 1706

Respectfully reports the same back without further action.

DUNN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 1707
Assembly Bill No. 1718
Assembly Bill No. 1843
Assembly Bill No. 1857
Assembly Bill No. 1929
Assembly Bill No. 1953
Assembly Bill No. 1986
Assembly Bill No. 1987
Assembly Bill No. 2080
Assembly Bill No. 2088
Assembly Bill No. 2119
Assembly Bill No. 2130
Assembly Bill No. 2188
Assembly Bill No. 2231
Assembly Bill No. 2232
Assembly Bill No. 2316
Assembly Bill No. 2425
Assembly Bill No 2494
Assembly Bill No. 2495
Assembly Bill No. 2698
Assembly Bill No. 2699
Assembly Bill No. 2700
Assembly Bill No. 2701
Assembly Bill No. 2768
Assembly Bill No. 2778
Assembly Bill No. 2811
Assembly Bill No. 2824
Assembly Bill No. 2829
Assembly Bill No. 2831
Assembly Bill No. 2832
Assembly Bill No. 2833
Assembly Bill No. 2928
Assembly Bill No. 2951
Assembly Bill No. 2952
Assembly Bill No. 2953
Assembly Bill No. 2954
Assembly Bill No. 3080
Assembly Bill No. 3097
Assembly Bill No 3168

Respectfully reports the same back without further action.

DUNN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 3185
Assembly Bill No. 3190
Assembly Bill No. 3191
Assembly Bill No. 3192
Assembly Bill No. 3194
Assembly Bill No. 3195
Assembly Bill No. 3196
Assembly Bill No. 3242
Assembly Bill No. 3243
Assembly Bill No. 3249
Assembly Bill No. 3355
Assembly Bill No. 3371

Respectfully reports the same back without further action.

DUNN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No 359
Senate Bill No. 378
Senate Bill No. 668

Respectfully reports the same back without further action.

DUNN, Chairman

Above reported bills ordered transmitted to the Senate.

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Concurrent Resolution No. 92

Respectfully reports the same back without further action.

DUNN, Chairman

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Assembly Bill No. 3
Assembly Bill No. 9
Assembly Bill No. 95
Assembly Bill No. 97
Assembly Bill No. 98
Assembly Bill No. 136
Assembly Bill No 158
Assembly Bill No 159
Assembly Bill No. 160
Assembly Bill No 161
Assembly Bill No 162
Assembly Bill No 163
Assembly Bill No 180
Assembly Bill No. 181
Assembly Bill No. 185
Assembly Bill No 192
Assembly Bill No 194
Assembly Bill No. 201
Assembly Bill No. 219
Assembly Bill No. 226
Assembly Bill No. 227
Assembly Bill No. 228
Assembly Bill No. 230
Assembly Bill No 307
Assembly Bill No 310
Assembly Bill No. 371
Assembly Bill No. 372
Assembly Bill No 660
Assembly Bill No. 677
Assembly Bill No 678
Assembly Bill No 679
Assembly Bill No. 680
Assembly Bill No 764
Assembly Bill No. 788

Respectfully reports the same back without further action.

WATERS, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Assembly Bill No. 790
Assembly Bill No 794
Assembly Bill No. 893
Assembly Bill No. 1067
Assembly Bill No. 1281
Assembly Bill No. 1305
Assembly Bill No. 1547
Assembly Bill No 1574
Assembly Bill No. 1575
Assembly Bill No 1603
Assembly Bill No. 1607
Assembly Bill No 1614
Assembly Bill No 1615
Assembly Bill No. 1685
Assembly Bill No 1733
Assembly Bill No. 1740
Assembly Bill No. 1745
Assembly Bill No. 1794
Assembly Bill No. 1795
Assembly Bill No. 1796
Assembly Bill No. 1798
Assembly Bill No 1923
Assembly Bill No 1926
Assembly Bill No. 1927
Assembly Bill No. 1935
Assembly Bill No. 1936
Assembly Bill No. 2032
Assembly Bill No. 2297
Assembly Bill No. 2408
Assembly Bill No. 2415
Assembly Bill No. 2431
Assembly Bill No 2432
Assembly Bill No. 2434
Assembly Bill No. 2438

Respectfully reports the same back without further action.

WATERS, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Assembly Bill No. 2439
Assembly Bill No 2442
Assembly Bill No. 2443
Assembly Bill No. 2444
Assembly Bill No. 2445
Assembly Bill No 2446
Assembly Bill No. 2460
Assembly Bill No. 2461
Assembly Bill No 2462
Assembly Bill No. 2473
Assembly Bill No. 2594
Assembly Bill No. 2604
Assembly Bill No 2606
Assembly Bill No 2607
Assembly Bill No. 2632
Assembly Bill No 2633
Assembly Bill No. 2634
Assembly Bill No. 2635
Assembly Bill No. 2636
Assembly Bill No. 2745
Assembly Bill No 2746
Assembly Bill No. 2771
Assembly Bill No. 3054
Assembly Bill No 3117
Assembly Bill No. 3118
Assembly Bill No 3197
Assembly Bill No. 3264
Assembly Bill No. 3265
Assembly Bill No. 3340
Assembly Bill No 3343
Assembly Bill No 3359
Assembly Bill No. 3360
Assembly Bill No 3361
Assembly Bill No. 3365

Respectfully reports the same back without further action.

WATERS, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Senate Bill No. 1216

Respectfully reports the same back without further action.

WATERS, Chairman

Above reported bill ordered transmitted to the Senate.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 13
Assembly Bill No. 25
Assembly Bill No. 53
Assembly Bill No. 91
Assembly Bill No. 92
Assembly Bill No. 173
Assembly Bill No. 211
Assembly Bill No 261
Assembly Bill No. 262
Assembly Bill No. 264
Assembly Bill No. 265
Assembly Bill No. 266
Assembly Bill No. 267
Assembly Bill No. 268
Assembly Bill No. 274
Assembly Bill No. 275
Assembly Bill No. 276
Assembly Bill No. 277
Assembly Bill No. 278
Assembly Bill No. 279
Assembly Bill No. 281
Assembly Bill No. 311
Assembly Bill No. 350
Assembly Bill No. 351
Assembly Bill No. 373
Assembly Bill No. 374
Assembly Bill No. 375
Assembly Bill No. 376
Assembly Bill No. 377
Assembly Bill No. 378
Assembly Bill No. 379
Assembly Bill No. 391
Assembly Bill No. 392
Assembly Bill No. 393

Respectfully reports the same back without further action.

GEDDES, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 394
Assembly Bill No. 395
Assembly Bill No. 396
Assembly Bill No. 397
Assembly Bill No. 398
Assembly Bill No. 399
Assembly Bill No. 400
Assembly Bill No. 414
Assembly Bill No. 415
Assembly Bill No. 416
Assembly Bill No. 468
Assembly Bill No. 480
Assembly Bill No. 481
Assembly Bill No. 501
Assembly Bill No. 505
Assembly Bill No. 506
Assembly Bill No. 507
Assembly Bill No. 508
Assembly Bill No. 509
Assembly Bill No. 510
Assembly Bill No. 512
Assembly Bill No. 513
Assembly Bill No. 514
Assembly Bill No. 515
Assembly Bill No. 517
Assembly Bill No. 518
Assembly Bill No. 523
Assembly Bill No. 538
Assembly Bill No. 648
Assembly Bill No. 649
Assembly Bill No. 675
Assembly Bill No. 688
Assembly Bill No. 689
Assembly Bill No. 690

Respectfully reports the same back without further action.

GEDDES, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 691
Assembly Bill No. 692
Assembly Bill No. 703
Assembly Bill No. 704
Assembly Bill No. 705
Assembly Bill No. 706
Assembly Bill No. 729
Assembly Bill No. 744
Assembly Bill No. 745
Assembly Bill No. 746
Assembly Bill No. 752
Assembly Bill No. 758
Assembly Bill No. 799
Assembly Bill No. 882
Assembly Bill No. 890
Assembly Bill No. 916
Assembly Bill No. 917
Assembly Bill No. 918
Assembly Bill No. 919
Assembly Bill No. 920
Assembly Bill No. 921
Assembly Bill No. 922
Assembly Bill No. 923
Assembly Bill No. 932
Assembly Bill No. 933
Assembly Bill No. 934
Assembly Bill No. 935
Assembly Bill No. 948
Assembly Bill No. 973
Assembly Bill No. 975
Assembly Bill No. 990
Assembly Bill No. 992
Assembly Bill No. 993
Assembly Bill No. 1073

Respectfully reports the same back without further action.

GEDDES, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 1099
Assembly Bill No. 1100
Assembly Bill No. 1101
Assembly Bill No. 1102
Assembly Bill No. 1103
Assembly Bill No 1104
Assembly Bill No. 1127
Assembly Bill No. 1128
Assembly Bill No. 1129
Assembly Bill No. 1130
Assembly Bill No. 1131
Assembly Bill No. 1132
Assembly Bill No. 1133
Assembly Bill No. 1134
Assembly Bill No. 1135
Assembly Bill No. 1136
Assembly Bill No. 1137
Assembly Bill No. 1138
Assembly Bill No. 1139
Assembly Bill No. 1140
Assembly Bill No. 1141
Assembly Bill No. 1205
Assembly Bill No. 1207
Assembly Bill No. 1208
Assembly Bill No. 1209
Assembly Bill No. 1252
Assembly Bill No. 1253
Assembly Bill No. 1287
Assembly Bill No. 1498
Assembly Bill No. 1522
Assembly Bill No. 1564
Assembly Bill No. 1585
Assembly Bill No. 1713

Respectfully reports the same back without further action.

GEDDES, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 1714
Assembly Bill No. 1749
Assembly Bill No. 1755
Assembly Bill No. 1807
Assembly Bill No. 1917
Assembly Bill No. 1919
Assembly Bill No. 1946
Assembly Bill No. 1949
Assembly Bill No. 1956
Assembly Bill No. 2006
Assembly Bill No. 2007
Assembly Bill No. 2008
Assembly Bill No. 2013
Assembly Bill No. 2023
Assembly Bill No. 2089
Assembly Bill No. 2192
Assembly Bill No. 2200
Assembly Bill No. 2227
Assembly Bill No. 2268
Assembly Bill No. 2269
Assembly Bill No. 2306
Assembly Bill No. 2392
Assembly Bill No. 2393
Assembly Bill No. 2394
Assembly Bill No. 2395
Assembly Bill No. 2396
Assembly Bill No. 2397
Assembly Bill No 2398
Assembly Bill No. 2399
Assembly Bill No. 2400
Assembly Bill No. 2401
Assembly Bill No. 2402
Assembly Bill No. 2403

Respectfully reports the same back without further action.

GEDDES, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 2419
Assembly Bill No. 2469
Assembly Bill No. 2470
Assembly Bill No. 2503
Assembly Bill No. 2504
Assembly Bill No 2517
Assembly Bill No. 2519
Assembly Bill No. 2520
Assembly Bill No. 2521
Assembly Bill No. 2523
Assembly Bill No. 2524
Assembly Bill No. 2560
Assembly Bill No. 2561
Assembly Bill No. 2563
Assembly Bill No. 2564
Assembly Bill No. 2565
Assembly Bill No. 2576
Assembly Bill No. 2578
Assembly Bill No 2612
Assembly Bill No. 2649
Assembly Bill No. 2650
Assembly Bill No. 2651
Assembly Bill No. 2652
Assembly Bill No. 2653
Assembly Bill No. 2654
Assembly Bill No. 2655
Assembly Bill No. 2656
Assembly Bill No. 2667
Assembly Bill No. 2693
Assembly Bill No. 2728
Assembly Bill No. 2738
Assembly Bill No. 2739
Assembly Bill No. 2761
Assembly Bill No. 2762
Assembly Bill No. 2774

Respectfully reports the same back without further action.

GEDDES, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 2781
Assembly Bill No. 2797
Assembly Bill No. 2821
Assembly Bill No. 2822
Assembly Bill No. 2854
Assembly Bill No. 2925
Assembly Bill No. 2926
Assembly Bill No. 2927
Assembly Bill No. 2933
Assembly Bill No. 3007
Assembly Bill No. 3025
Assembly Bill No. 3030
Assembly Bill No 3110
Assembly Bill No. 3179
Assembly Bill No. 3201
Assembly Bill No. 3244
Assembly Bill No. 3271
Assembly Bill No. 3302
Assembly Bill No. 3303
Assembly Bill No. 3305
Assembly Bill No. 3334
Assembly Bill No. 3346

Respectfully reports the same back without further action.

GEDDES, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Senate Bill No. 1552

Respectfully reports the same back without further action.

GEDDES, Chairman

Above reported bill ordered transmitted to the Senate.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 48
Assembly Bill No. 86
Assembly Bill No. 87
Assembly Bill No. 108
Assembly Bill No. 109
Assembly Bill No. 189
Assembly Bill No. 316
Assembly Bill No. 318
Assembly Bill No. 321
Assembly Bill No. 495
Assembly Bill No. 498
Assembly Bill No. 499
Assembly Bill No. 553
Assembly Bill No. 650
Assembly Bill No. 685
Assembly Bill No. 750
Assembly Bill No. 887
Assembly Bill No. 936
Assembly Bill No. 1039
Assembly Bill No. 1040
Assembly Bill No. 1042
Assembly Bill No. 1306
Assembly Bill No. 1307
Assembly Bill No. 1543
Assembly Bill No. 1550
Assembly Bill No. 1551
Assembly Bill No. 1552
Assembly Bill No. 1553
Assembly Bill No. 1554
Assembly Bill No. 1555
Assembly Bill No. 1884
Assembly Bill No. 2004
Assembly Bill No. 2038
Assembly Bill No. 2049

Respectfully reports the same back without further action.

ERWIN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 2071
Assembly Bill No. 2073
Assembly Bill No. 2084
Assembly Bill No. 2185
Assembly Bill No. 2186
Assembly Bill No. 2208
Assembly Bill No. 2277
Assembly Bill No. 2380
Assembly Bill No. 2441
Assembly Bill No. 2476
Assembly Bill No. 2477
Assembly Bill No. 2602
Assembly Bill No. 2732
Assembly Bill No. 2735
Assembly Bill No. 2736
Assembly Bill No. 2792
Assembly Bill No. 2819
Assembly Bill No. 2902
Assembly Bill No. 3062
Assembly Bill No. 3073
Assembly Bill No. 3092
Assembly Bill No. 3093
Assembly Bill No. 3123
Assembly Bill No. 3259
Assembly Bill No. 3260
Assembly Bill No. 3263
Assembly Bill No. 3285
Assembly Bill No. 3367
Assembly Bill No. 3398

Respectfully reports the same back without further action.

ERWIN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Senate Bill No. 31
Senate Bill No. 252
Senate Bill No. 1159
Senate Bill No. 1160

Respectfully reports the same back without further action.

ERWIN, Chairman

Above reported bills ordered transmitted to the Senate.

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 848
Assembly Bill No. 886
Assembly Bill No. 1894
Assembly Bill No. 2423
Assembly Bill No. 2579

Respectfully reports the same back without further action, and refer subject matter to Assembly Interim Committee on Fish and Game.

ERWIN, Chairman

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 22
Assembly Bill No. 27
Assembly Bill No. 36
Assembly Bill No. 140
Assembly Bill No. 224
Assembly Bill No. 231
Assembly Bill No. 301
Assembly Bill No. 315
Assembly Bill No. 319
Assembly Bill No. 320
Assembly Bill No. 369
Assembly Bill No. 408
Assembly Bill No. 409
Assembly Bill No. 411
Assembly Bill No 412
Assembly Bill No. 428
Assembly Bill No. 429
Assembly Bill No 430
Assembly Bill No. 431
Assembly Bill No. 432
Assembly Bill No. 433
Assembly Bill No. 487
Assembly Bill No. 493
Assembly Bill No. 536
Assembly Bill No. 610
Assembly Bill No. 783
Assembly Bill No. 834
Assembly Bill No. 845
Assembly Bill No. 860
Assembly Bill No 878
Assembly Bill No. 895
Assembly Bill No. 896
Assembly Bill No. 937
Assembly Bill No. 938

Respectfully reports the same back without further action.

STEWART, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No 967
Assembly Bill No. 1034
Assembly Bill No. 1059
Assembly Bill No 1060
Assembly Bill No. 1061
Assembly Bill No. 1063
Assembly Bill No. 1064
Assembly Bill No. 1106
Assembly Bill No. 1150
Assembly Bill No. 1223
Assembly Bill No 1224
Assembly Bill No. 1225
Assembly Bill No 1251
Assembly Bill No 1296
Assembly Bill No. 1311
Assembly Bill No. 1491
Assembly Bill No. 1499
Assembly Bill No. 1524
Assembly Bill No. 1527
Assembly Bill No. 1536
Assembly Bill No. 1538
Assembly Bill No. 1544
Assembly Bill No. 1571
Assembly Bill No. 1596
Assembly Bill No. 1608
Assembly Bill No. 1644
Assembly Bill No. 1699
Assembly Bill No. 1704
Assembly Bill No. 1725
Assembly Bill No. 1766
Assembly Bill No. 1787
Assembly Bill No. 1801
Assembly Bill No. 1808
Assembly Bill No. 1816

Respectfully reports the same back without further action.

STEWART, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1817
Assembly Bill No. 1849
Assembly Bill No. 1866
Assembly Bill No 1867
Assembly Bill No 1874
Assembly Bill No. 1875
Assembly Bill No. 1882
Assembly Bill No 1885
Assembly Bill No. 1889
Assembly Bill No. 1902
Assembly Bill No. 1913
Assembly Bill No. 1915
Assembly Bill No. 1932
Assembly Bill No 1933
Assembly Bill No 1934
Assembly Bill No. 2021
Assembly Bill No 2030
Assembly Bill No. 2059
Assembly Bill No. 2060
Assembly Bill No. 2069
Assembly Bill No 2076
Assembly Bill No. 2126
Assembly Bill No. 2135
Assembly Bill No. 2138
Assembly Bill No. 2183
Assembly Bill No 2184
Assembly Bill No. 2205
Assembly Bill No. 2219
Assembly Bill No. 2225
Assembly Bill No. 2226
Assembly Bill No 2244
Assembly Bill No. 2245
Assembly Bill No. 2251
Assembly Bill No. 2259

Respectfully reports the same back without further action.

STEWART, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 2262
Assembly Bill No. 2264
Assembly Bill No. 2265
Assembly Bill No. 2266
Assembly Bill No. 2273
Assembly Bill No. 2296
Assembly Bill No. 2325
Assembly Bill No 2340
Assembly Bill No. 2366
Assembly Bill No. 2369
Assembly Bill No. 2371
Assembly Bill No. 2377
Assembly Bill No. 2385
Assembly Bill No. 2406
Assembly Bill No. 2448
Assembly Bill No. 2451
Assembly Bill No. 2455
Assembly Bill No. 2457
Assembly Bill No. 2472
Assembly Bill No. 2485
Assembly Bill No. 2489
Assembly Bill No. 2490
Assembly Bill No. 2500
Assembly Bill No. 2514
Assembly Bill No. 2525
Assembly Bill No. 2547
Assembly Bill No. 2548
Assembly Bill No. 2566
Assembly Bill No. 2567
Assembly Bill No. 2590
Assembly Bill No. 2608
Assembly Bill No 2609
Assembly Bill No. 2610
Assembly Bill No. 2616

Respectfully reports the same back without further action.

STEWART, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 2630
Assembly Bill No. 2638
Assembly Bill No. 2643
Assembly Bill No. 2644
Assembly Bill No. 2659
Assembly Bill No. 2670
Assembly Bill No 2714
Assembly Bill No. 2741
Assembly Bill No. 2775
Assembly Bill No. 2782
Assembly Bill No. 2812
Assembly Bill No. 2817
Assembly Bill No. 2837
Assembly Bill No. 2839
Assembly Bill No. 2845
Assembly Bill No. 2868
Assembly Bill No. 2884
Assembly Bill No. 2935
Assembly Bill No. 2945
Assembly Bill No. 3008
Assembly Bill No. 3009
Assembly Bill No. 3010
Assembly Bill No. 3012
Assembly Bill No 3013
Assembly Bill No. 3014
Assembly Bill No. 3015
Assembly Bill No. 3016
Assembly Bill No. 3018
Assembly Bill No. 3019
Assembly Bill No. 3036
Assembly Bill No. 3064
Assembly Bill No. 3086
Assembly Bill No. 3089
Assembly Bill No. 3102

Respectfully reports the same back without further action.

STEWART, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 3103
Assembly Bill No. 3114
Assembly Bill No. 3140
Assembly Bill No. 3141
Assembly Bill No. 3142
Assembly Bill No. 3143
Assembly Bill No. 3144
Assembly Bill No. 3146
Assembly Bill No. 3147
Assembly Bill No. 3148
Assembly Bill No. 3149
Assembly Bill No. 3150
Assembly Bill No. 3151
Assembly Bill No. 3167
Assembly Bill No. 3182
Assembly Bill No. 3186
Assembly Bill No. 3206
Assembly Bill No. 3210
Assembly Bill No. 3211
Assembly Bill No. 3212
Assembly Bill No. 3214
Assembly Bill No. 3224
Assembly Bill No. 3230
Assembly Bill No. 3261
Assembly Bill No. 3262
Assembly Bill No. 3266
Assembly Bill No. 3267
Assembly Bill No. 3268
Assembly Bill No. 3270
Assembly Bill No. 3273
Assembly Bill No. 3277
Assembly Bill No. 3330
Assembly Bill No. 3353

Respectfully reports the same back without further action.

STEWART, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 3354
Assembly Bill No. 3356
Assembly Bill No. 3380
Assembly Bill No. 3436
Assembly Bill No. 3455

Respectfully reports the same back without further action.

STEWART, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 234
Senate Bill No. 496
Senate Bill No. 508
Senate Bill No. 609
Senate Bill No. 745
Senate Bill No. 1010
Senate Bill No. 1577
Senate Bill No. 1803

Respectfully reports the same back without further action.

STEWART, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which were referred:

Assembly Bill No. 269
Assembly Bill No. 401
Assembly Bill No. 402
Assembly Bill No. 403
Assembly Bill No. 405
Assembly Bill No. 413
Assembly Bill No. 486
Assembly Bill No. 511
Assembly Bill No. 541
Assembly Bill No. 779
Assembly Bill No. 798
Assembly Bill No 947
Assembly Bill No. 989
Assembly Bill No 1027
Assembly Bill No. 1113
Assembly Bill No. 1117
Assembly Bill No. 1318
Assembly Bill No. 1572
Assembly Bill No. 1712
Assembly Bill No. 1716
Assembly Bill No. 1717
Assembly Bill No. 1729
Assembly Bill No. 2515
Assembly Bill No. 2537
Assembly Bill No. 2639
Assembly Bill No. 2798
Assembly Bill No. 2921
Assembly Bill No. 3047
Assembly Bill No. 3178
Assembly Bill No 3223
Assembly Bill No. 3289
Assembly Bill No. 3306
Assembly Bill No. 3308
Assembly Bill No. 3309

Respectfully reports the same back without further action.

LEVERING, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which were referred:

Assembly Bill No. 3313
Assembly Bill No. 3315
Assembly Bill No. 3401
Assembly Bill No 3417
Assembly Bill No. 3435

Respectfully reports the same back without further action.

LEVERING, Chairman

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 2
Assembly Bill No. 37
Assembly Bill No. 57
Assembly Bill No. 73
Assembly Bill No. 89
Assembly Bill No. 107
Assembly Bill No. 145
Assembly Bill No. 174
Assembly Bill No. 210
Assembly Bill No. 216
Assembly Bill No. 217
Assembly Bill No. 218
Assembly Bill No. 232
Assembly Bill No. 256
Assembly Bill No. 388
Assembly Bill No. 458
Assembly Bill No. 466
Assembly Bill No. 476
Assembly Bill No. 477
Assembly Bill No. 488
Assembly Bill No. 533
Assembly Bill No. 539
Assembly Bill No. 581
Assembly Bill No. 588
Assembly Bill No. 604
Assembly Bill No. 623
Assembly Bill No. 624
Assembly Bill No. 632
Assembly Bill No. 644
Assembly Bill No. 646
Assembly Bill No. 673
Assembly Bill No. 681
Assembly Bill No. 709
Assembly Bill No. 716
Assembly Bill No. 721
Assembly Bill No. 724
Assembly Bill No. 725
Assembly Bill No. 731
Assembly Bill No. 749
Assembly Bill No. 756

Respectfully reports the same back without further action.

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 757
Assembly Bill No. 769
Assembly Bill No. 770
Assembly Bill No. 772
Assembly Bill No. 774
Assembly Bill No. 776
Assembly Bill No. 777
Assembly Bill No. 778
Assembly Bill No. 796
Assembly Bill No. 808
Assembly Bill No. 810
Assembly Bill No. 826
Assembly Bill No. 851
Assembly Bill No. 852
Assembly Bill No. 854
Assembly Bill No. 857
Assembly Bill No. 858
Assembly Bill No. 859
Assembly Bill No. 864
Assembly Bill No. 865
Assembly Bill No. 928
Assembly Bill No. 929
Assembly Bill No. 930
Assembly Bill No. 931
Assembly Bill No. 949
Assembly Bill No. 961
Assembly Bill No. 969
Assembly Bill No. 994
Assembly Bill No. 995
Assembly Bill No. 998
Assembly Bill No. 999
Assembly Bill No. 1000
Assembly Bill No. 1002
Assembly Bill No. 1003
Assembly Bill No. 1019
Assembly Bill No. 1043
Assembly Bill No. 1044
Assembly Bill No. 1046
Assembly Bill No. 1047

Respectfully reports the same back without further action.

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1048
Assembly Bill No. 1050
Assembly Bill No. 1066
Assembly Bill No. 1081
Assembly Bill No. 1083
Assembly Bill No. 1086
Assembly Bill No. 1087
Assembly Bill No. 1092
Assembly Bill No. 1110
Assembly Bill No. 1119
Assembly Bill No. 1120
Assembly Bill No. 1154
Assembly Bill No. 1157
Assembly Bill No. 1159
Assembly Bill No. 1161
Assembly Bill No. 1163
Assembly Bill No. 1165
Assembly Bill No. 1167
Assembly Bill No. 1168
Assembly Bill No. 1169
Assembly Bill No. 1170
Assembly Bill No. 1171
Assembly Bill No. 1172
Assembly Bill No. 1173
Assembly Bill No 1174
Assembly Bill No. 1175
Assembly Bill No. 1179
Assembly Bill No. 1181
Assembly Bill No. 1182
Assembly Bill No. 1185
Assembly Bill No. 1186
Assembly Bill No. 1187
Assembly Bill No. 1189
Assembly Bill No. 1190
Assembly Bill No. 1191
Assembly Bill No. 1195
Assembly Bill No. 1196
Assembly Bill No. 1197
Assembly Bill No. 1213

Respectfully reports the same back without further action.

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1255
Assembly Bill No. 1275
Assembly Bill No. 1283
Assembly Bill No. 1297
Assembly Bill No. 1300
Assembly Bill No. 1303
Assembly Bill No. 1310
Assembly Bill No. 1319
Assembly Bill No. 1320
Assembly Bill No. 1321
Assembly Bill No. 1322
Assembly Bill No. 1323
Assembly Bill No. 1324
Assembly Bill No. 1325
Assembly Bill No. 1327
Assembly Bill No. 1328
Assembly Bill No. 1329
Assembly Bill No. 1330
Assembly Bill No. 1331
Assembly Bill No. 1332
Assembly Bill No. 1333
Assembly Bill No. 1334
Assembly Bill No. 1335
Assembly Bill No. 1336
Assembly Bill No. 1337
Assembly Bill No. 1338
Assembly Bill No. 1339
Assembly Bill No. 1340
Assembly Bill No. 1341
Assembly Bill No. 1342
Assembly Bill No. 1343
Assembly Bill No. 1344
Assembly Bill No. 1346
Assembly Bill No. 1347
Assembly Bill No. 1348
Assembly Bill No. 1349
Assembly Bill No. 1350
Assembly Bill No. 1351
Assembly Bill No. 1352
Assembly Bill No. 1353

Respectfully reports the same back without further action.

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1357
Assembly Bill No. 1362
Assembly Bill No. 1363
Assembly Bill No. 1364
Assembly Bill No. 1367
Assembly Bill No. 1370
Assembly Bill No. 1372
Assembly Bill No. 1374
Assembly Bill No. 1375
Assembly Bill No. 1378
Assembly Bill No. 1380
Assembly Bill No. 1381
Assembly Bill No. 1383
Assembly Bill No. 1384
Assembly Bill No. 1385
Assembly Bill No. 1386
Assembly Bill No. 1387
Assembly Bill No. 1388
Assembly Bill No. 1391
Assembly Bill No. 1393
Assembly Bill No. 1394
Assembly Bill No. 1395
Assembly Bill No. 1396
Assembly Bill No. 1397
Assembly Bill No. 1398
Assembly Bill No. 1399
Assembly Bill No. 1401
Assembly Bill No. 1402
Assembly Bill No. 1403
Assembly Bill No. 1404
Assembly Bill No. 1406
Assembly Bill No. 1407
Assembly Bill No. 1408
Assembly Bill No. 1409
Assembly Bill No. 1410
Assembly Bill No. 1411
Assembly Bill No. 1413
Assembly Bill No. 1414
Assembly Bill No. 1415
Assembly Bill No. 1416

Respectfully reports the same back without further action.

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1417
Assembly Bill No. 1420
Assembly Bill No. 1421
Assembly Bill No. 1423
Assembly Bill No 1424
Assembly Bill No. 1425
Assembly Bill No. 1427
Assembly Bill No. 1428
Assembly Bill No. 1429
Assembly Bill No. 1430
Assembly Bill No. 1431
Assembly Bill No. 1432
Assembly Bill No. 1433
Assembly Bill No. 1434
Assembly Bill No. 1435
Assembly Bill No. 1438
Assembly Bill No. 1439
Assembly Bill No. 1441
Assembly Bill No. 1442
Assembly Bill No 1443
Assembly Bill No. 1444
Assembly Bill No 1445
Assembly Bill No. 1446
Assembly Bill No. 1447
Assembly Bill No. 1448
Assembly Bill No. 1449
Assembly Bill No 1450
Assembly Bill No. 1451
Assembly Bill No. 1452
Assembly Bill No. 1453
Assembly Bill No. 1454
Assembly Bill No. 1455
Assembly Bill No. 1456
Assembly Bill No. 1457
Assembly Bill No. 1459

Respectfully reports the same back without further action.

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1460
Assembly Bill No. 1461
Assembly Bill No. 1462
Assembly Bill No. 1465
Assembly Bill No. 1469
Assembly Bill No. 1470
Assembly Bill No. 1471
Assembly Bill No. 1473
Assembly Bill No. 1475
Assembly Bill No. 1476
Assembly Bill No. 1478
Assembly Bill No. 1479
Assembly Bill No. 1480
Assembly Bill No. 1481
Assembly Bill No. 1482
Assembly Bill No. 1484
Assembly Bill No. 1485
Assembly Bill No. 1488
Assembly Bill No. 1489
Assembly Bill No. 1493
Assembly Bill No. 1494
Assembly Bill No. 1502
Assembly Bill No. 1503
Assembly Bill No. 1506
Assembly Bill No. 1525
Assembly Bill No. 1537
Assembly Bill No. 1546
Assembly Bill No. 1573
Assembly Bill No. 1597
Assembly Bill No. 1598
Assembly Bill No. 1599
Assembly Bill No 1600
Assembly Bill No. 1601
Assembly Bill No. 1602
Assembly Bill No. 1612
Assembly Bill No. 1652
Assembly Bill No. 1654
Assembly Bill No. 1655
Assembly Bill No. 1656
Assembly Bill No. 1657

Respectfully reports the same back without further action.

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1659
Assembly Bill No. 1660
Assembly Bill No. 1661
Assembly Bill No. 1662
Assembly Bill No. 1663
Assembly Bill No. 1664
Assembly Bill No. 1671
Assembly Bill No. 1681
Assembly Bill No. 1686
Assembly Bill No. 1728
Assembly Bill No. 1759
Assembly Bill No. 1760
Assembly Bill No 1761
Assembly Bill No 1762
Assembly Bill No 1763
Assembly Bill No. 1764
Assembly Bill No 1765
Assembly Bill No. 1768
Assembly Bill No. 1769
Assembly Bill No. 1770
Assembly Bill No. 1774
Assembly Bill No 1776
Assembly Bill No. 1777
Assembly Bill No. 1778
Assembly Bill No. 1779
Assembly Bill No. 1780
Assembly Bill No. 1781
Assembly Bill No 1782
Assembly Bill No. 1820
Assembly Bill No. 1821
Assembly Bill No. 1826
Assembly Bill No. 1830
Assembly Bill No. 1850
Assembly Bill No. 1854
Assembly Bill No. 1858
Assembly Bill No. 1895
Assembly Bill No. 1896
Assembly Bill No. 1897
Assembly Bill No. 1911
Assembly Bill No. 1941

Respectfully reports the same back without further action.

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1942
Assembly Bill No. 1943
Assembly Bill No. 1944
Assembly Bill No. 1945
Assembly Bill No 1948
Assembly Bill No. 1950
Assembly Bill No. 1983
Assembly Bill No 2016
Assembly Bill No. 2017
Assembly Bill No. 2024
Assembly Bill No. 2027
Assembly Bill No 2028
Assembly Bill No. 2037
Assembly Bill No. 2051
Assembly Bill No. 2083
Assembly Bill No. 2090
Assembly Bill No. 2091
Assembly Bill No 2092
Assembly Bill No. 2093
Assembly Bill No. 2094
Assembly Bill No. 2098
Assembly Bill No. 2099
Assembly Bill No. 2100
Assembly Bill No. 2101
Assembly Bill No. 2102
Assembly Bill No 2103
Assembly Bill No. 2104
Assembly Bill No. 2105
Assembly Bill No. 2106
Assembly Bill No. 2108
Assembly Bill No. 2110
Assembly Bill No. 2111
Assembly Bill No. 2112
Assembly Bill No. 2115
Assembly Bill No. 2116
Assembly Bill No. 2117
Assembly Bill No. 2118
Assembly Bill No. 2132
Assembly Bill No 2169
Assembly Bill No. 2181

Respectfully reports the same back without further action.

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 2209
Assembly Bill No. 2263
Assembly Bill No. 2267
Assembly Bill No. 2271
Assembly Bill No. 2272
Assembly Bill No. 2288
Assembly Bill No. 2289
Assembly Bill No. 2291
Assembly Bill No 2292
Assembly Bill No. 2293
Assembly Bill No. 2294
Assembly Bill No. 2298
Assembly Bill No. 2303
Assembly Bill No. 2304
Assembly Bill No. 2323
Assembly Bill No. 2324
Assembly Bill No. 2333
Assembly Bill No. 2334
Assembly Bill No. 2337
Assembly Bill No. 2352
Assembly Bill No. 2364
Assembly Bill No. 2365
Assembly Bill No. 2413
Assembly Bill No. 2426
Assembly Bill No. 2427
Assembly Bill No. 2428
Assembly Bill No. 2429
Assembly Bill No. 2454
Assembly Bill No. 2458
Assembly Bill No. 2463
Assembly Bill No. 2468
Assembly Bill No. 2471
Assembly Bill No. 2491
Assembly Bill No. 2492
Assembly Bill No. 2498
Assembly Bill No. 2505
Assembly Bill No. 2527
Assembly Bill No 2572
Assembly Bill No. 2580
Assembly Bill No. 2582

Respectfully reports the same back without further action.

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 2583
Assembly Bill No. 2584
Assembly Bill No. 2585
Assembly Bill No. 2586
Assembly Bill No. 2587
Assembly Bill No. 2588
Assembly Bill No. 2627
Assembly Bill No. 2642
Assembly Bill No. 2646
Assembly Bill No. 2657
Assembly Bill No 2661
Assembly Bill No. 2666
Assembly Bill No. 2722
Assembly Bill No. 2723
Assembly Bill No. 2748
Assembly Bill No. 2749
Assembly Bill No 2753
Assembly Bill No. 2754
Assembly Bill No. 2756
Assembly Bill No. 2757
Assembly Bill No. 2758
Assembly Bill No. 2759
Assembly Bill No. 2784
Assembly Bill No. 2846
Assembly Bill No. 2875
Assembly Bill No. 2878
Assembly Bill No. 2891
Assembly Bill No. 2893
Assembly Bill No. 2995
Assembly Bill No. 2996
Assembly Bill No. 2997
Assembly Bill No. 2998
Assembly Bill No. 2999
Assembly Bill No. 3000
Assembly Bill No. 3001
Assembly Bill No. 3002
Assembly Bill No. 3003
Assembly Bill No. 3004
Assembly Bill No. 3005
Assembly Bill No. 3034

Respectfully reports the same back without further action.

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred.

Assembly Bill No. 3035	Assembly Bill No. 3153
Assembly Bill No. 3038	Assembly Bill No. 3154
Assembly Bill No 3039	Assembly Bill No 3160
Assembly Bill No. 3040	Assembly Bill No. 3161
Assembly Bill No. 3041	Assembly Bill No. 3200
Assembly Bill No. 3042	Assembly Bill No. 3202
Assembly Bill No. 3043	Assembly Bill No. 3203
Assembly Bill No 3044	Assembly Bill No. 3208
Assembly Bill No. 3050	Assembly Bill No. 3209
Assembly Bill No. 3065	Assembly Bill No. 3250
Assembly Bill No 3067	Assembly Bill No. 3251
Assembly Bill No. 3077	Assembly Bill No 3252
Assembly Bill No. 3078	Assembly Bill No. 3272
Assembly Bill No. 3079	Assembly Bill No. 3283
Assembly Bill No 3084	Assembly Bill No. 3284
Assembly Bill No. 3085	Assembly Bill No. 3286
Assembly Bill No 3087	Assembly Bill No 3287
Assembly Bill No 3111	Assembly Bill No. 3297
Assembly Bill No 3119	Assembly Bill No 3322
Assembly Bill No 3120	Assembly Bill No 3324

Respectfully reports the same back without further action

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 3325	Assembly Bill No. 3397
Assembly Bill No. 3338	Assembly Bill No. 3402
Assembly Bill No 3339	Assembly Bill No. 3424
Assembly Bill No. 3358	Assembly Bill No. 3444
Assembly Bill No. 3382	

Respectfully reports the same back without further action.

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1437

Respectfully reports the same back without further action.

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 97	Senate Bill No. 646
Senate Bill No. 222	Senate Bill No. 712
Senate Bill No. 277	Senate Bill No 1174
Senate Bill No. 394	Senate Bill No. 1412
Senate Bill No. 474	Senate Bill No. 1432
Senate Bill No. 606	Senate Bill No. 1560
Senate Bill No. 641	Senate Bill No 1666

Respectfully reports the same back without further action.

BROWN, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Legislative Representation

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Legislative Representation, to which were referred:

Assembly Bill No. 3088	Senate Bill No 1423

Respectfully reports the same back without further action.

DOLWIG, Chairman

Above reported Senate Bill No. 1423 ordered transmitted to the Senate.

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER. Your Committee on Legislative Representation, to which was referred

House Resolution No 63

Respectfully reports the same back without further action

DOLWIG, Chairman

Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which were referred:

Assembly Bill No. 647
Assembly Bill No. 1288
Assembly Bill No. 1863
Assembly Bill No. 1870
Assembly Bill No. 2404
Assembly Bill No. 2376
Assembly Bill No. 3113
Assembly Bill No 3174
Assembly Joint Resolution No. 44

Respectfully reports the same back without further action.

MORRIS, Chairman

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Assembly Bill No. 65
Assembly Bill No. 102
Assembly Bill No. 103
Assembly Bill No. 252
Assembly Bill No. 645
Assembly Bill No. 780
Assembly Bill No. 821
Assembly Bill No. 823
Assembly Bill No. 824
Assembly Bill No. 889
Assembly Bill No. 1122
Assembly Bill No. 1282
Assembly Bill No. 1556
Assembly Bill No. 1805
Assembly Bill No. 1930
Assembly Bill No. 2424
Assembly Bill No. 2465

Respectfully reports the same back without further action.

McCOLLISTER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER · Your Committee on Military Affairs, to which were referred:

Assembly Bill No. 2466
Assembly Bill No. 2467
Assembly Bill No 2497
Assembly Bill No. 2568
Assembly Bill No. 2603
Assembly Bill No. 2729
Assembly Bill No. 2805
Assembly Bill No 3152
Assembly Bill No. 3156
Assembly Bill No. 3173
Assembly Bill No. 3293

Respectfully reports the same back without further action.

McCOLLISTER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Senate Bill No. 888
Senate Bill No. 2887

Respectfully reports the same back without further action.

McCOLLISTER, Chairman

Above reported bills ordered transmitted to the Senate.

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER · Your Committee on Military Affairs, to which were referred:

Senate Bill No. 650
Senate Bill No. 1543

Respectfully reports the same back without further action.

McCOLLISTER, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 58
Assembly Bill No 62
Assembly Bill No 111
Assembly Bill No. 112
Assembly Bill No. 113
Assembly Bill No. 114
Assembly Bill No. 115
Assembly Bill No. 116
Assembly Bill No. 117
Assembly Bill No. 119
Assembly Bill No. 120
Assembly Bill No. 124
Assembly Bill No. 179
Assembly Bill No. 312
Assembly Bill No. 314
Assembly Bill No. 459
Assembly Bill No. 460
Assembly Bill No. 463
Assembly Bill No 490
Assembly Bill No. 547
Assembly Bill No. 548
Assembly Bill No. 555
Assembly Bill No. 683
Assembly Bill No. 684
Assembly Bill No. 697
Assembly Bill No. 734
Assembly Bill No. 735
Assembly Bill No. 765
Assembly Bill No. 787
Assembly Bill No. 801
Assembly Bill No. 804
Assembly Bill No. 809
Assembly Bill No 814
Assembly Bill No. 843
Assembly Bill No 844
Assembly Bill No. 862
Assembly Bill No. 863
Assembly Bill No 897
Assembly Bill No 924
Assembly Bill No. 958

Respectfully reports the same back without further action.

STANLEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 959
Assembly Bill No. 960
Assembly Bill No. 963
Assembly Bill No. 972
Assembly Bill No. 983
Assembly Bill No. 1021
Assembly Bill No. 1125
Assembly Bill No. 1246
Assembly Bill No. 1292
Assembly Bill No. 1294
Assembly Bill No. 1295
Assembly Bill No. 1298
Assembly Bill No. 1563
Assembly Bill No. 1593
Assembly Bill No. 1637
Assembly Bill No. 1723
Assembly Bill No. 1750
Assembly Bill No. 1751
Assembly Bill No. 1753
Assembly Bill No. 1758
Assembly Bill No. 1838
Assembly Bill No. 1840
Assembly Bill No. 1846
Assembly Bill No. 1847
Assembly Bill No 1925
Assembly Bill No. 1960
Assembly Bill No. 1972
Assembly Bill No. 1973
Assembly Bill No. 1974
Assembly Bill No. 1975
Assembly Bill No. 1976
Assembly Bill No 1978
Assembly Bill No. 2000
Assembly Bill No. 2020
Assembly Bill No. 2033
Assembly Bill No 2036
Assembly Bill No 2190
Assembly Bill No 2191
Assembly Bill No. 2260

Respectfully reports the same back without further action.

STANLEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No 2270
Assembly Bill No. 2274
Assembly Bill No. 2275
Assembly Bill No. 2276
Assembly Bill No. 2285
Assembly Bill No. 2287
Assembly Bill No. 2343
Assembly Bill No. 2345
Assembly Bill No. 2353
Assembly Bill No. 2554
Assembly Bill No. 2555
Assembly Bill No. 2589
Assembly Bill No. 2600
Assembly Bill No. 2613
Assembly Bill No. 2614
Assembly Bill No. 2617
Assembly Bill No. 2628
Assembly Bill No. 2662
Assembly Bill No. 2702
Assembly Bill No. 2703
Assembly Bill No. 2747
Assembly Bill No. 2766
Assembly Bill No 2785
Assembly Bill No. 2861
Assembly Bill No. 2866
Assembly Bill No. 2867
Assembly Bill No. 2908
Assembly Bill No. 2940
Assembly Bill No. 2949
Assembly Bill No. 3006
Assembly Bill No. 3023
Assembly Bill No. 3063
Assembly Bill No. 3106
Assembly Bill No. 3162
Assembly Bill No. 3163
Assembly Bill No. 3164
Assembly Bill No. 3180
Assembly Bill No. 3215
Assembly Bill No. 3216
Assembly Bill No. 3231

Respectfully reports the same back without further action.

STANLEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 3232
Assembly Bill No. 3233
Assembly Bill No 3234
Assembly Bill No. 3235
Assembly Bill No. 3236
Assembly Bill No 3237
Assembly Bill No. 3238
Assembly Bill No. 3317
Assembly Bill No. 3331
Assembly Bill No. 3332
Assembly Bill No. 3333
Assembly Bill No. 3349
Assembly Bill No. 3363
Assembly Bill No. 3381
Assembly Bill No 3404
Assembly Bill No. 3427
Assembly Bill No. 3430
Assembly Bill No. 3449

Respectfully reports the same back without further action.

STANLEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 307
Senate Bill No. 450
Senate Bill No. 983
Senate Bill No 1225
Senate Bill No. 1466

Respectfully reports the same back without further action.

STANLEY, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 283
Assembly Bill No. 285
Assembly Bill No. 286
Assembly Bill No. 299
Assembly Bill No. 344
Assembly Bill No. 345
Assembly Bill No. 385
Assembly Bill No. 552
Assembly Bill No. 590
Assembly Bill No. 686
Assembly Bill No. 832
Assembly Bill No. 833
Assembly Bill No. 952
Assembly Bill No. 953
Assembly Bill No. 987
Assembly Bill No. 1065
Assembly Bill No. 1108
Assembly Bill No. 1212
Assembly Bill No. 1505
Assembly Bill No. 1578
Assembly Bill No. 1580
Assembly Bill No. 1581
Assembly Bill No. 1791
Assembly Bill No. 1837
Assembly Bill No. 1876
Assembly Bill No. 1961
Assembly Bill No. 1964
Assembly Bill No. 2029
Assembly Bill No. 2031
Assembly Bill No. 2066
Assembly Bill No. 2141
Assembly Bill No. 2187
Assembly Bill No 2189
Assembly Bill No. 2230

Respectfully reports the same back without further action

CONNOLLY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 2308
Assembly Bill No. 2348
Assembly Bill No. 2349
Assembly Bill No 2350
Assembly Bill No. 2478
Assembly Bill No. 2549
Assembly Bill No. 2550
Assembly Bill No. 2551
Assembly Bill No. 2552
Assembly Bill No. 2557
Assembly Bill No. 2658
Assembly Bill No. 2668
Assembly Bill No. 2707
Assembly Bill No. 2708
Assembly Bill No. 2709
Assembly Bill No. 2710
Assembly Bill No. 2711
Assembly Bill No. 2713
Assembly Bill No. 2742
Assembly Bill No. 2901
Assembly Bill No. 3061
Assembly Bill No. 3069
Assembly Bill No. 3170
Assembly Bill No. 3274
Assembly Bill No. 3288
Assembly Bill No 3327
Assembly Bill No. 3454

Respectfully reports the same back without further action.

CONNOLLY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 1148
Assembly Bill No. 3082
Assembly Bill No. 3318

Respectfully reports the same back without further action.

CONNOLLY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Senate Bill No. 481
Senate Bill No. 802
Senate Bill No. 960

Respectfully reports the same back without further action.

CONNOLLY, Chairman

Above reported bills ordered transmitted to the Senate.

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 1221
Assembly Bill No. 2326
Assembly Bill No 2331
Assembly Bill No. 3437

Respectfully reports the same back without further action, with recommendation: Re-refer the subject matter to Interim Committee on Public Health.

CONNOLLY, Chairman

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which were referred:

Assembly Bill No. 24
Assembly Bill No. 46
Assembly Bill No. 54
Assembly Bill No. 105
Assembly Bill No. 106
Assembly Bill No. 406
Assembly Bill No. 762
Assembly Bill No. 906
Assembly Bill No. 1022
Assembly Bill No. 1569
Assembly Bill No. 1604
Assembly Bill No. 1720
Assembly Bill No. 1962
Assembly Bill No. 1963
Assembly Bill No 2087
Assembly Bill No 2480
Assembly Bill No. 2509
Assembly Bill No. 2526
Assembly Bill No. 2533
Assembly Bill No. 2534
Assembly Bill No 2535
Assembly Bill No. 2538
Assembly Bill No 2539
Assembly Bill No. 2540
Assembly Bill No. 2541
Assembly Bill No. 2542
Assembly Bill No 2543
Assembly Bill No 2592
Assembly Bill No 2593
Assembly Bill No. 2841
Assembly Bill No. 2888
Assembly Bill No. 2957
Assembly Bill No. 2958
Assembly Bill No. 2975
Assembly Bill No 2976
Assembly Bill No 2977
Assembly Bill No. 2978
Assembly Bill No. 2979
Assembly Bill No. 2980
Assembly Bill No. 2981
Assembly Bill No. 2982
Assembly Bill No. 2983
Assembly Bill No. 2984
Assembly Bill No. 2985
Assembly Bill No. 2986
Assembly Bill No. 2987
Assembly Bill No. 2988
Assembly Bill No. 2989
Assembly Bill No. 2990
Assembly Bill No. 2991
Assembly Bill No. 2992
Assembly Bill No. 2993
Assembly Bill No. 2994
Assembly Bill No 3028
Assembly Bill No. 3158
Assembly Bill No. 3294
Assembly Bill No. 3319
Assembly Bill No. 3320
Assembly Bill No 3399
Assembly Bill No 3420

Respectfully reports the same back without further action

EVANS, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which were referred:

Assembly Bill No. 674
Assembly Bill No. 3253

Has had the same under consideration, and reports the same back without further action, and with the recommendation: Be re-referred to Interim Committee on Public Utilities and Corporations.

EVANS, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Senate Bill No. 327

Respectfully reports the same back without further action.

EVANS, Chairman

Above reported bill ordered transmitted to the Senate.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 44
Assembly Bill No. 172
Assembly Bill No. 247
Assembly Bill No. 358
Assembly Bill No. 387
Assembly Bill No. 439
Assembly Bill No. 484
Assembly Bill No. 530
Assembly Bill No. 579
Assembly Bill No. 595
Assembly Bill No. 619
Assembly Bill No. 891
Assembly Bill No. 899
Assembly Bill No. 915
Assembly Bill No. 1218
Assembly Bill No. 1219
Assembly Bill No. 1280
Assembly Bill No. 1316
Assembly Bill No. 1648
Assembly Bill No. 1757
Assembly Bill No. 1799
Assembly Bill No. 1800
Assembly Bill No. 1814
Assembly Bill No. 1815
Assembly Bill No. 1921
Assembly Bill No. 1922
Assembly Bill No. 1968
Assembly Bill No. 1984
Assembly Bill No. 1992
Assembly Bill No 1994
Assembly Bill No. 2010
Assembly Bill No. 2035
Assembly Bill No. 2062
Assembly Bill No. 2233
Assembly Bill No. 2234
Assembly Bill No. 2235
Assembly Bill No. 2236
Assembly Bill No. 2237
Assembly Bill No. 2238
Assembly Bill No 2239

Respectfully reports the same back without further action.

HOLLIBAUGH, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 2240
Assembly Bill No. 2241
Assembly Bill No 2242
Assembly Bill No. 2243
Assembly Bill No. 2253
Assembly Bill No 2302
Assembly Bill No. 2328
Assembly Bill No. 2335
Assembly Bill No. 2409
Assembly Bill No. 2410
Assembly Bill No. 2411
Assembly Bill No. 2440
Assembly Bill No. 2452
Assembly Bill No. 2486
Assembly Bill No. 2645
Assembly Bill No. 2671
Assembly Bill No. 2744
Assembly Bill No. 2750
Assembly Bill No. 2751
Assembly Bill No. 2769
Assembly Bill No. 2783
Assembly Bill No. 2786
Assembly Bill No. 2787
Assembly Bill No 2789
Assembly Bill No. 2834
Assembly Bill No. 2843
Assembly Bill No. 2848
Assembly Bill No. 2849
Assembly Bill No. 2850
Assembly Bill No 2851
Assembly Bill No. 2852
Assembly Bill No. 2865
Assembly Bill No. 2896
Assembly Bill No. 2934
Assembly Bill No. 3026
Assembly Bill No. 3027
Assembly Bill No 3105
Assembly Bill No 3128
Assembly Bill No. 3218
Assembly Bill No. 3220

Respectfully reports the same back without further action.

HOLLIBAUGH, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 3258
Assembly Bill No. 3269
Assembly Bill No. 3276
Assembly Bill No. 3278
Assembly Bill No. 3281
Assembly Bill No. 3282
Assembly Bill No 3335
Assembly Bill No. 3350
Assembly Bill No. 3351
Assembly Bill No 3393
Assembly Bill No. 3415

Respectfully reports the same back without further action.

HOLLIBAUGH, Chairman

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Miscellaneous communications

Respectfully reports the same back without further action.

SAM L. COLLINS, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Bill No. 1105
Assembly Bill No. 3362

Respectfully reports the same back without further action.

SAM L. COLLINS, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Bill No. 1213
Senate Bill No. 1680

Respectfully reports the same back without further action.

SAM L. COLLINS, Chairman

Above reported bills ordered transmitted to the Senate.

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 19
Senate Concurrent Resolution No. 23
Senate Concurrent Resolution No. 24
Senate Concurrent Resolution No. 25
Senate Concurrent Resolution No. 26
Senate Concurrent Resolution No. 40
Senate Concurrent Resolution No. 52
Senate Concurrent Resolution No. 76
Senate Concurrent Resolution No. 86
Senate Concurrent Resolution No. 93
Senate Concurrent Resolution No. 95
Senate Concurrent Resolution No. 97
Senate Concurrent Resolution No. 98
Senate Concurrent Resolution No. 100
Senate Concurrent Resolution No. 102

Respectfully reports the same back without further action.

SAM L. COLLINS, Chairman

Above reported resolutions ordered transmitted to the Senate.

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Joint Resolution No. 5
Assembly Joint Resolution No. 6
Assembly Joint Resolution No 9
Assembly Joint Resolution No. 12
Assembly Joint Resolution No. 15
Assembly Joint Resolution No. 18
Assembly Joint Resolution No. 26
Assembly Joint Resolution No 31
Assembly Joint Resolution No. 34
Assembly Joint Resolution No. 41
Assembly Joint Resolution No. 47
Assembly Joint Resolution No. 46
Assembly Joint Resolution No. 48

Respectfully reports the same back without further action.

SAM L. COLLINS, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No. 1
Assembly Concurrent Resolution No. 8
Assembly Concurrent Resolution No. 9
Assembly Concurrent Resolution No. 12
Assembly Concurrent Resolution No. 18
Assembly Concurrent Resolution No. 20
Assembly Concurrent Resolution No. 24
Assembly Concurrent Resolution No. 26
Assembly Concurrent Resolution No. 27
Assembly Concurrent Resolution No 38
Assembly Concurrent Resolution No. 40
Assembly Concurrent Resolution No. 41
Assembly Concurrent Resolution No. 43
Assembly Concurrent Resolution No. 60
Assembly Concurrent Resolution No. 64
Assembly Concurrent Resolution No. 67
Assembly Concurrent Resolution No. 69
Assembly Concurrent Resolution No. 95
Assembly Concurrent Resolution No. 99
Assembly Concurrent Resolution No. 102
Assembly Concurrent Resolution No. 103
Assembly Concurrent Resolution No. 107
Assembly Concurrent Resolution No. 108

Respectfully reports the same back without further action.

SAM L COLLINS, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred.

House Resolution No 198
House Resolution No. 199
House Resolution No 202
House Resolution No 205
House Resolution No. 206
House Resolution No. 214
House Resolution No 215
House Resolution No 216
House Resolution No 220
House Resolution No. 221
House Resolution No. 224
House Resolution No. 226
House Resolution No. 228
House Resolution No 233
House Resolution No. 238
House Resolution No. 253
House Resolution No. 254
House Resolution No 255
House Resolution No. 262

Respectfully reports the same back without further action

SAM L. COLLINS, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No 19
House Resolution No 20
House Resolution No. 21
House Resolution No. 26
House Resolution No. 27
House Resolution No. 33
House Resolution No 35
House Resolution No. 36
House Resolution No 38
House Resolution No. 45
House Resolution No. 50
House Resolution No. 52
House Resolution No. 61
House Resolution No. 68
House Resolution No. 93
House Resolution No. 97
House Resolution No. 104
House Resolution No 107
House Resolution No. 111
House Resolution No. 114
House Resolution No. 116
House Resolution No 117
House Resolution No 119
House Resolution No 123
House Resolution No 125
House Resolution No 126
House Resolution No. 128
House Resolution No. 129
House Resolution No 143
House Resolution No 145
House Resolution No 152
House Resolution No 158
House Resolution No 159
House Resolution No. 160
House Resolution No. 169
House Resolution No 174
House Resolution No 184
House Resolution No 188
House Resolution No 192
House Resolution No 193

Respectfully reports the same back without further action

SAM L. COLLINS, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 225

Has had the same under consideration, and reports the same back without further action and with the recommendation that the subject matter of said resolution be referred to the Interim Committee on Conservation, Planning, and Public Works created at this session.

SAM L. COLLINS, Chairman

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your committee on Social Welfare, to which were referred:

Assembly Bill No. 177
Assembly Bill No. 236
Assembly Bill No. 237
Assembly Bill No. 238
Assembly Bill No. 239
Assembly Bill No. 240
Assembly Bill No. 241
Assembly Bill No. 253
Assembly Bill No. 356
Assembly Bill No. 360
Assembly Bill No. 362
Assembly Bill No. 363
Assembly Bill No. 444
Assembly Bill No. 446
Assembly Bill No. 450
Assembly Bill No. 451
Assembly Bill No. 452
Assembly Bill No. 815
Assembly Bill No 1312
Assembly Bill No. 1533
Assembly Bill No. 1880
Assembly Bill No. 1881
Assembly Bill No. 1909
Assembly Bill No. 1910
Assembly Bill No. 2025
Assembly Bill No. 2055
Assembly Bill No. 2197
Assembly Bill No. 2201
Assembly Bill No. 2202
Assembly Bill No. 2204
Assembly Bill No. 2255
Assembly Bill No. 2256
Assembly Bill No. 2344
Assembly Bill No. 2556
Assembly Bill No 2558
Assembly Bill No. 2559
Assembly Bill No. 2637
Assembly Bill No. 2726
Assembly Bill No. 2779
Assembly Bill No. 2780

Respectfully reports the same back without further action.

NIEHOUSE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your committee on Social Welfare, to which were referred:

Assembly Bill No. 2853
Assembly Bill No. 2883
Assembly Bill No. 3051
Assembly Bill No. 3055
Assembly Bill No. 3058
Assembly Bill No. 3059
Assembly Bill No. 3166
Assembly Bill No. 3181

Respectfully reports the same back without further action.

NIEHOUSE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your committee on Social Welfare, to which were referred:

Senate Bill No 585
Senate Bill No. 1092
Senate Bill No. 1592
Senate Bill No. 1634
Senate Bill No 1696

Respectfully reports the same back without further action.

NIEHOUSE, Chairman

Above reported bills ordered transmitted to the Senate.

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Senate Bill No 1591

Has had the same under consideration, and reports the same back without further action, and re-refer subject matter to Assembly Interim Committee on Social Welfare.

NIEHOUSE, Chairman

Above reported bill ordered transmitted to the Senate.

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 47
Assembly Bill No. 76
Assembly Bill No. 77
Assembly Bill No. 78
Assembly Bill No. 79
Assembly Bill No. 80
Assembly Bill No. 81
Assembly Bill No. 82
Assembly Bill No. 83
Assembly Bill No. 84
Assembly Bill No. 85
Assembly Bill No. 122
Assembly Bill No. 190
Assembly Bill No. 294
Assembly Bill No. 317
Assembly Bill No. 473
Assembly Bill No. 474
Assembly Bill No. 534
Assembly Bill No. 535
Assembly Bill No. 596
Assembly Bill No. 597
Assembly Bill No. 620
Assembly Bill No. 693
Assembly Bill No. 730
Assembly Bill No. 785
Assembly Bill No. 786
Assembly Bill No. 792
Assembly Bill No. 939
Assembly Bill No. 966
Assembly Bill No. 1006
Assembly Bill No. 1016
Assembly Bill No. 1301
Assembly Bill No. 1557
Assembly Bill No. 1558

Respectfully reports the same back without further action.

LUCKEL, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 1559
Assembly Bill No. 1621
Assembly Bill No. 1804
Assembly Bill No. 1951
Assembly Bill No 2053
Assembly Bill No. 2317
Assembly Bill No. 2322
Assembly Bill No 2368
Assembly Bill No. 2375
Assembly Bill No. 2475
Assembly Bill No. 2691
Assembly Bill No. 2803
Assembly Bill No. 2804
Assembly Bill No. 2826
Assembly Bill No. 2830
Assembly Bill No. 2871
Assembly Bill No. 2872
Assembly Bill No. 2873
Assembly Bill No. 2877
Assembly Bill No. 2897
Assembly Bill No. 2937
Assembly Bill No. 2944
Assembly Bill No. 2948
Assembly Bill No. 3099
Assembly Bill No. 3100
Assembly Bill No. 3169
Assembly Bill No. 3171
Assembly Bill No. 3255
Assembly Bill No. 3256
Assembly Bill No. 3257
Assembly Bill No. 3275
Assembly Bill No. 3295
Assembly Bill No. 3296
Assembly Bill No. 3298

Respectfully reports the same back without further action.

LUCKEL, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 3299
Assembly Bill No. 3336
Assembly Bill No. 3337

Respectfully reports the same back without further action.

LUCKEL, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Senate Bill No. 667
Senate Bill No. 1051
Senate Bill No. 1513

Respectfully reports the same back without further action.

LUCKEL, Chairman

Above reported bills ordered transmitted to the Senate.

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Senate Bill No. 457

Respectfully reports the same back without further action and with the recommendation: Refer the subject matter to Interim Committee on Highways, Streets, and Bridges.

LUCKEL, Chairman

Above reported bill ordered transmitted to the Senate.

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Joint Resolution No. 13

Respectfully reports the same back without further action.

LUCKEL, Chairman

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 740
Assembly Bill No. 784
Assembly Bill No. 791
Assembly Bill No. 828
Assembly Bill No. 829
Assembly Bill No. 968
Assembly Bill No. 988
Assembly Bill No. 1247
Assembly Bill No. 1308
Assembly Bill No. 1313
Assembly Bill No. 1567
Assembly Bill No. 1741
Assembly Bill No. 1829
Assembly Bill No. 1898
Assembly Bill No. 1900
Assembly Bill No. 1931
Assembly Bill No. 2054

Respectfully reports the same back without further action

SHERWIN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 2056
Assembly Bill No. 2057
Assembly Bill No. 2058
Assembly Bill No. 2193
Assembly Bill No. 2194
Assembly Bill No. 2199
Assembly Bill No. 2203
Assembly Bill No. 2383
Assembly Bill No. 2511
Assembly Bill No. 2530
Assembly Bill No. 2531
Assembly Bill No. 2743
Assembly Bill No. 2772
Assembly Bill No. 2864
Assembly Bill No. 2881
Assembly Bill No. 2898
Assembly Bill No. 3024
Assembly Bill No. 3076
Assembly Bill No. 3155
Assembly Bill No. 3172
Assembly Bill No. 3176
Assembly Bill No. 3246
Assembly Bill No. 3314
Assembly Bill No. 3373
Assembly Bill No. 3394

Respectfully reports the same back without further action.

SHERWIN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2447

Has had the same under consideration, and respectfully reports the same back without further action, and with the recommendation: Refer subject matter to Assembly Interim Agriculture Committee

SHERWIN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 64
Assembly Bill No. 67
Assembly Bill No. 133
Assembly Bill No. 171
Assembly Bill No. 182
Assembly Bill No. 183
Assembly Bill No 257
Assembly Bill No 258
Assembly Bill No. 293
Assembly Bill No. 443
Assembly Bill No. 448
Assembly Bill No. 667
Assembly Bill No. 668
Assembly Bill No. 669
Assembly Bill No. 670
Assembly Bill No. 736
Assembly Bill No 737

Assembly Constitutional Amendment No 5
Assembly Constitutional Amendment No 36
Assembly Constitutional Amendment No. 41
Assembly Concurrent Resolution No. 15

Respectfully reports the same back without further action.

SHERWIN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2248

Has had the same under consideration, and respectfully reports the same back without further action, and with the recommendation: Re-refer subject matter to Assembly Interim Civil Service and State Personnel Committee.

SHERWIN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 1515

Respectfully reports the same back without further action.

SHERWIN, Chairman

Above reported bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on May 15th returned the following bill with further action postponed indefinitely:

Assembly Bill No. 2182

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returns the following from Senate Committee without further action:

Assembly Constitutional Amendment No. 35
Assembly Constitutional Amendment No. 51
Assembly Concurrent Resolution No. 4
Assembly Joint Resolution No. 25

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on June 14th returns the following from file, refer subject matter to Standing Committee on Legislative Representation:

Assembly Bill No. 3352

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on June 22d returns the following from file, subject matter re-refer to Rules Committee for interim study:

Assembly Bill No. 3217

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returns the following, from Senate Committee, refer subject matter to Joint Interim Committee on Water Problems:

Assembly Concurrent Resolution No. 106

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate returns the following: Died on file in the Senate:

Assembly Bill No. 812
Assembly Bill No. 976
Assembly Bill No. 1306
Assembly Bill No. 1802
Assembly Bill No. 2595
Assembly Bill No. 2596

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate struck from the file:

Assembly Constitutional Amendment No. 16
Assembly Constitutional Amendment No. 62

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day refused adoption to:

Assembly Constitutional Amendment No. 34

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on June 22d refused passage to:

Assembly Bill No. 2689

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on June 19th refused passage to:

Assembly Bill No. 357

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on June 7th refused passage to:

Assembly Bill No. 984
Assembly Bill No. 1151

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on May 28th refused passage to:

Assembly Bill No. 1284

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on June 15th refused passage to:

Assembly Bill No. 1513

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on May 31st, refused passage to:

Assembly Bill No. 2793

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returns the following, died on inactive file in Senate:

Assembly Bill No. 368
Assembly Bill No. 593
Assembly Bill No. 805
Assembly Bill No. 985
Assembly Bill No. 1622
Assembly Bill No. 1756
Assembly Bill No. 2147
Assembly Bill No. 2175
Assembly Bill No. 1276
Assembly Bill No. 2124
Assembly Bill No. 2840
Assembly Bill No 1379
Assembly Bill No. 1998
Assembly Bill No. 3326
Assembly Bill No. 2076
Assembly Constitutional Amendment No. 54

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returns the following from Senate committee without further action:

Assembly Bill No. 6
Assembly Bill No. 12
Assembly Bill No. 14
Assembly Bill No. 16
Assembly Bill No. 18
Assembly Bill No. 32
Assembly Bill No. 59
Assembly Bill No. 135
Assembly Bill No. 138
Assembly Bill No. 143
Assembly Bill No. 187
Assembly Bill No. 223
Assembly Bill No. 225
Assembly Bill No 323
Assembly Bill No. 324
Assembly Bill No. 325
Assembly Bill No. 326
Assembly Bill No. 327
Assembly Bill No. 328
Assembly Bill No. 329
Assembly Bill No. 330
Assembly Bill No. 331
Assembly Bill No. 332
Assembly Bill No. 333
Assembly Bill No. 334
Assembly Bill No. 335
Assembly Bill No. 336
Assembly Bill No. 337
Assembly Bill No. 338
Assembly Bill No. 339
Assembly Bill No. 343
Assembly Bill No. 380
Assembly Bill No. 404
Assembly Bill No. 457
Assembly Bill No. 469
Assembly Bill No. 470
Assembly Bill No. 471
Assembly Bill No. 485
Assembly Bill No. 494
Assembly Bill No. 497

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returns the following, from Senate committee without further action:

Assembly Bill No. 1613
Assembly Bill No. 1623
Assembly Bill No. 1628
Assembly Bill No. 1632
Assembly Bill No. 1688
Assembly Bill No. 1689
Assembly Bill No. 1702
Assembly Bill No. 1732
Assembly Bill No. 1754
Assembly Bill No. 1842
Assembly Bill No. 1848
Assembly Bill No. 1920
Assembly Bill No. 1957
Assembly Bill No 1980
Assembly Bill No. 1981
Assembly Bill No. 2019
Assembly Bill No. 2040
Assembly Bill No. 2045
Assembly Bill No. 2050
Assembly Bill No. 2064
Assembly Bill No. 2077
Assembly Bill No. 2082
Assembly Bill No. 2107
Assembly Bill No. 2114
Assembly Bill No. 2120
Assembly Bill No. 2121
Assembly Bill No. 2195
Assembly Bill No. 2213
Assembly Bill No. 2214
Assembly Bill No. 2217
Assembly Bill No. 2250
Assembly Bill No. 2295
Assembly Bill No. 2330
Assembly Bill No. 2336
Assembly Bill No. 2374
Assembly Bill No. 2379
Assembly Bill No. 2382
Assembly Bill No. 2430
Assembly Bill No. 2433
Assembly Bill No. 2474

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returns the following, from Senate committee without further action:

Assembly Bill No. 482
Assembly Bill No. 537
Assembly Bill No. 622
Assembly Bill No. 695
Assembly Bill No. 802
Assembly Bill No. 818
Assembly Bill No. 835
Assembly Bill No. 866
Assembly Bill No. 868
Assembly Bill No. 869
Assembly Bill No 903
Assembly Bill No. 956
Assembly Bill No. 970
Assembly Bill No. 996
Assembly Bill No. 1028
Assembly Bill No. 1116
Assembly Bill No. 1204
Assembly Bill No. 1215
Assembly Bill No. 1217
Assembly Bill No. 1230
Assembly Bill No. 1254
Assembly Bill No. 1285
Assembly Bill No. 1290
Assembly Bill No. 1302
Assembly Bill No. 1369
Assembly Bill No. 1467
Assembly Bill No. 1468
Assembly Bill No. 1509
Assembly Bill No. 1508
Assembly Bill No. 1510
Assembly Bill No. 1511
Assembly Bill No. 1514
Assembly Bill No. 1515
Assembly Bill No 1516
Assembly Bill No. 1520
Assembly Bill No. 1539
Assembly Bill No. 1540
Assembly Bill No. 1583
Assembly Bill No. 1584

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returns the following from Senate committee without further action:

Assembly Bill No. 3409
Assembly Bill No. 3458
Assembly Bill No. 3460
Assembly Bill No. 1419
Assembly Bill No. 1422
Assembly Bill No. 1436
Assembly Bill No. 1440
Assembly Bill No 1458

J. A. BEEK, Secretary of the Senate
By C. V TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day returns the following from Senate committee without further action:

Assembly Bill No 2479
Assembly Bill No. 2487
Assembly Bill No. 2488
Assembly Bill No. 2510
Assembly Bill No. 2513
Assembly Bill No 2544
Assembly Bill No. 2562
Assembly Bill No. 2573
Assembly Bill No. 2624
Assembly Bill No. 2631
Assembly Bill No. 2640
Assembly Bill No. 2641
Assembly Bill No. 2663
Assembly Bill No 2696
Assembly Bill No. 2737
Assembly Bill No. 2770
Assembly Bill No. 2788
Assembly Bill No. 2801
Assembly Bill No. 2802
Assembly Bill No 2889
Assembly Bill No. 3022
Assembly Bill No. 3045
Assembly Bill No 3046
Assembly Bill No. 3048
Assembly Bill No. 3049
Assembly Bill No. 3074
Assembly Bill No. 3075
Assembly Bill No. 3090
Assembly Bill No 3145
Assembly Bill No. 3157
Assembly Bill No. 3184
Assembly Bill No. 3204
Assembly Bill No. 3247
Assembly Bill No. 3248
Assembly Bill No. 3310
Assembly Bill No. 3342
Assembly Bill No. 3345
Assembly Bill No 3374
Assembly Bill No. 3377
Assembly Bill No. 3408

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 1186
Senate Bill No. 1472
Senate Bill No. 1531

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

TEXT OF PROPOSED CONSTITUTIONAL AMENDMENTS WHICH HAVE BEEN APPROVED BY BOTH HOUSES OF THE LEGISLATURE, TOGETHER WITH THE YEAS AND NAYS TAKEN THEREON

Pursuant to the provisions of Article XVIII, Section 1, of the Constitution of the State of California, the following proposed constitutional amendments, two-thirds of all the members elected to each of the two houses of the Legislature having voted in favor thereof, are hereby entered on the Journal, together with the yeas and nays taken thereon:

Assembly Constitutional Amendment No. 1

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article XI thereof, relating to the charters of cities and cities and counties

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 1951 Regular Session commencing on the eighth day of January, 1951, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by amending Section 8 of Article XI of the Constitution to read as follows:

SEC. 8. (a) Any city or city and county containing a population of more than 3,500 inhabitants, as ascertained by the last preceding Census taken under the authority of the Congress of the United States or of the Legislature of California, may frame a charter for its own government, consistent with and subject to this Constitution; and any city or city and county having adopted a charter may adopt a new one. Any such charter may be framed by a board of 15 freeholders chosen by the electors of such city or city and county, at any general or special election, but no person shall be eligible as a candidate for such board unless he shall have been, for the five years next preceding, an elector of said city or city and county. An election for choosing freeholders may be called by a two-thirds vote of the legislative body of such city or city and county, and on presentation of a petition signed by not less than 15 percent of the registered electors of such city or city and county, the legislative body shall call such election at any time not less than 30 nor more than 60 days from date of the filing of the petition. Any such petition shall be verified by the authority having charge of the registration records of such city or city and county and the expenses of such verification shall be provided by the legislative body thereof.

(b) Candidates for the office of freeholders shall be nominated either in such manner as may be provided for the nomination of officers of the municipal or city and county government or by petition, substantially in the same manner as may be provided by general laws for the nomination by petition of electors of candidates for public offices to be voted for at general elections.

(c) At such election the electors shall vote first on the question "Shall a board of freeholders be elected to frame a proposed new charter?" and secondly for the candidates of the office of freeholder. If the first question receives a majority of votes of the qualified voters voting thereon at such election, the 15 candidates for the office of freeholder receiving the highest number of votes shall forthwith organize as a board of freeholders, but if the first question receives less than a majority of the votes of the qualified voters voting thereon at such election no board of freeholders shall be deemed to have been elected.

(d) The board of freeholders shall, within one year after the result of the election is declared, prepare and propose a charter for the government of such city or city and county. The charter so prepared shall be signed by a majority of the board of freeholders and filed in the office of the clerk of the legislative body of said city or city and county The legislative body of said city or city and county shall, within 15 days after such filing, cause such charter to be published once in the official newspaper of said city or city and county and each edition thereof, during the day of publication (or in case there be no such official newspaper, in a newspaper of general circulation within such city or city and county and all the editions thereof issued during the day of publication) and in any city or city and county with over 50,000 population shall cause copies of such charter to be printed in convenient pamphlet form and in type of not less than 10-point and shall cause copies thereof to be mailed to each of the qualified electors of such city or city and county, and shall, until the day fixed for the election upon such charter, advertise in one or more newspapers of general circulation in said city or city and county a notice that copies thereof may be had upon application therefor.

(e) Such charter shall be submitted to the electors of such city or city and county at a date to be fixed by the board of freeholders, before such filing and designated on such charter, either at a special election held not less than 60 days from the completion of the publication of such charter as above provided, or at the general election next following the expiration of said 60 days.

(f) As an alternative, the legislative body of any such city or city and county, on its own motion may frame or cause to be framed, a proposed charter and submit

the proposal for the adoption thereof to the electors at either a special election called for that purpose or at any general or special election. Any charter so submitted shall be advertised in the same manner as herein provided for the advertisement of a charter proposed by a board of freeholders, and the election thereon held at a date to be fixed by the legislative body of such city or city and county, not less than 40 nor more than 60 days after the completion of the advertising in the official paper.

(g) If a majority of the qualified voters voting thereon at such general or special election shall vote in favor of such proposed charter, it shall be deemed to be ratified, and shall be submitted to the Legislature, if then in session, or at the next regular or special session of the Legislature. The Legislature shall by concurrent resolution approve or reject such charter as a whole, without power of alteration or amendment; and if approved by a majority of the members elected to each house it shall become the organic law of such city or city and county and supersede any existing charter and all laws inconsistent therewith. One copy of the charter so ratified and approved shall be filed with the Secretary of State, one with the recorder in the county in which such city is located, and one in the archives of the city, and in the case of a city and county one copy shall be filed with the recorder thereof, and one in the archives of such city and county; and thereafter the courts shall take judicial notice of the provisions of such charter.

(h) The charter of any city or city and county may be amended by proposals therefor submitted by the legislative body thereof on its own motion or on petition signed by 15 percent of the registered electors, or both. Such proposals shall be submitted to the electors at either a special election called for that purpose or at any general or special election. Petitions for the submission of any amendment shall be filed with the legislative body of the city or city and county not less than 60 days prior to the general election next preceding a regular session of the Legislature. The signatures on such petitions shall be verified by the authority having charge of the registration records of such city or city and county, and the expenses of such verification shall be provided by the legislative body thereof. If such petitions have a sufficient number of signatures the legislative body of the city or city and county shall so submit the amendment or amendments so proposed to the electors. Amendments proposed by the legislative body and amendments proposed by petition of the electors may be submitted at the same election. The amendments so submitted shall be advertised in the same manner as herein provided for the advertisement of a proposed charter, and the election thereon, held at a date to be fixed by the legislative body of such city or city and county, not less than 40, and not more than 60, days after the completion of the advertising in the official paper.

(i) If a majority of the qualified voters voting on any such amendment vote in favor thereof, it shall be deemed ratified, and shall be submitted to the Legislature if then in session, or at the regular or special session next following such election; and approved or rejected without power of alteration in the same manner as herein provided for the approval or rejection of a charter.

(j) In submitting any such charter or amendment separate propositions, whether alternative or conflicting, or one included within the other, may be submitted at the same time to be voted on by the electors separately, and, as between those so related, if more than one receive a majority of the votes, the proposition receiving the largest number of votes shall control as to all matters in conflict. It shall be competent in any charter framed under the authority of this section to provide that the municipality governed thereunder may make and enforce all laws and regulations in respect to municipal affairs, subject only to the restrictions and limitations provided in their several charters and in respect to other matters they shall be subject to general laws. It shall be competent in any charter to provide for the establishment of a borough system of government for the whole or any part of the territory of the city or city and county governed thereby, by which one or more boroughs or districts may be created therein and to provide that each borough or district may exercise such general or special municipal powers, and to be administered in such manner, as may be provided for such boroughs and districts in the charter of the city or city and county.

(k) The percentages of the registered electors herein required for the election of freeholders or the submission of amendments to charters shall be calculated upon the total vote cast in the city or city and county at the last preceding general state election; and the qualified electors shall be those whose names appear upon the registration records of the same or preceding year. The election laws of such city, or city and county shall, so far as applicable, govern all elections held under the authority of this section.

Yeas and Nays on Assembly Constitutional Amendment No. 1

Excerpt from Assembly Journal for March 29, 1951, page 2186

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh,

Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—67.

NOES—None.

Excerpt from Senate Journal for April, 17, 1951, page 1447

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, James E. Cunningham, Roy Cunningham, Desmond, Dillinger, Donnelly, Hatfield, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Powers, Regan, Sutton, Tenney, Thompson, Ward, Watson, Way, and Weybret—28.

NOES—None.

Assembly Constitutional Amendment No. 2

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article I thereof, relating to grand juries.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its 1951 General Session commencing on the eighth day of January, 1951, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that Section 8 of Article I of the Constitution of the State of California be amended to read as follows:

SEC. 8. Offenses heretofore required to be prosecuted by indictment shall be prosecuted by information, after examination and commitment by a magistrate, or by indictment, with or without such examination and commitment, as may be prescribed by law. When a defendent is charged with the commission of a felony, by a written complaint subscribed under oath and on file in a court within the county in which the felony is triable, he shall, without unnecessary delay, be taken before a magistrate of such court The magistrate shall immediately deliver to him a copy of the complaint, inform him of his right to the aid of counsel, ask him if he desires the aid of counsel, and allow him a reasonable time to send for counsel; and the magistrate must, upon the request of the defendent, require a peace officer to take a message to any counsel whom the defendant may name, in the city or township in which the court is situated. If the felony charged is not punishable with death, the magistrate shall immediately upon the appearance of counsel for the defendant read the complaint to the defendant and ask him whether he pleads guilty or not guilty to the offense charged therein; thereupon, or at any time thereafter while the charge remains pending before the magistrate and when his counsel is present, the defendant may, with the consent of the magistrate and the district attorney or other counsel for the people, plead guilty to the offense charged or to any other offense the commission of which is necessarily included in that with which he is charged, or to an attempt to commit the offense charged; and upon such plea of guilty, the magistrate shall immediately commit the defendant to the sheriff and certify the case, including a copy of all proceedings therein and such testimony as in his discretion he may require to be taken, to the superior court, and thereupon such proceedings shall be had as if such defendant had pleaded guilty in such court.

The foregoing provisions of this section shall be self-executing. The Legislature may prescribe such procedure in cases herein provided for as is not inconsistent herewith. In cases not hereinabove provided for, such proceedings shall be had as are now or may be hereafter prescribed by law, not inconsistent herewith

A grand jury consisting of 19 jurors shall be drawn and summoned in each county for the year following the adoption of this amendment and for each year thereafter which shall consist of not less than three nor more than nine members of the immediately preceding grand jury who shall serve for that year only and such additional members as are required to provide the total membership No grand juror shall serve for more than two consecutive years, nor serve as foreman of a grand jury for more than one year. The provisions of this paragraph are self-executing but legislation not in conflict herewith may be enacted to facilitate its operation.

Yeas and Nays on Assembly Constitutional Amendment No. 2

Excerpt from Assembly Journal for May 15, 1951, page 4293

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Coats, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn,

Elliott, Erwin, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—62

NOES—None.

Excerpt from Senate Journal for May 31, 1951, page 2781

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Brown, Busch, Byrne, Collier, Coombs, James E. Cunningham, Roy Cunningham, Desmond, Dillinger, Dilworth, Gibson, Hatfield, Hoffman, Ed. C. Johnson, Judah, Kraft, Mayo, McBride, McCarthy, Miller, O'Gara, Parkman, Tenney, Ward, Watson, Way, and Williams—27.

NOES—None.

Assembly Constitutional Amendment No. 9

A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 3 of Article XX, relating to oaths of office

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 1951 Regular Session commencing on the eighth day of January, 1951, two-thirds of all the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by amending Section 3 of Article XX, to read as follows:

SEC. 3. Members of the Legislature, and all public officers and employees, executive, legislative, and judicial, except such inferior officers and employees as may be by law exempted, shall, before they enter upon the duties of their respective offices, take and subscribe the following oath or affirmation:

"I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter

"And I do further swear (or affirm) that I do not advocate, nor am I a member of any party or organization, political or otherwise, that now advocates the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means; that within the five years immediately preceding the taking of this oath (or affirmation) I have not been a member of any party or organization, political or otherwise, that advocated the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means except as follows:

_____

(If no affiliations, write in the words "No Exceptions")

and that during such time as I hold the office of _____ I will not advocate nor
(name of office)

become a member of any party or organization, political or otherwise, that advocates the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means."

And no other oath, declaration, or test, shall be required as a qualification for any public office or employment.

"Public officer and employee" includes every officer and employee of the State, including the University of California, every county, city, city and county, district, and authority, including any department, division, bureau, board, commission, agency, or instrumentality of any of the foregoing.

Yeas and Nays on Assembly Constitutional Amendment No. 9

Excerpt from Assembly Journal for March 26, 1951, page 2036

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—George D. Collins, Condon, Elliott, McFall, McMillan, and Parker—6.

Excerpt from Senate Journal for April 3, 1951, page 1015

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Burns, Busch, Byrne, Collier, Coombs, James E. Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Judah, McCarthy, O'Gara, Powers, Regan, Sutton, Tenney, Thompson, Ward, Watson, Way, and Williams—27.

NOES—Senator Miller—1.

Excerpt from Assembly Journal for April 5, 1951, page 2437

The roll was called, and the Assembly concurred in Senate amendments to Assembly Constitutional Amendment No. 9 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Connolly, Cooke, Dills, Doyle, Dunn, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—61.

NOES—George D. Collins and Elliott—2.

Assembly Constitutional Amendment No. 19

A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 8 of Article XIII of said Constitution, relating to property tax returns

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 1951 Regular Session, commencing on the eighth day of January, 1951, two-thirds of all members elected to each of the two houses voting in favor thereof, hereby proposes to the people of the State of California that the Constitution of the State be amended by amending Section 8 of Article XIII thereof, to read:

SEC. 8. The Legislature shall by law require each taxpayer in this State to make and deliver to the county assessor, annually, a statement, either by oath or be verified by a written declaration that it is made under the penalties of perjury, setting forth specifically all the real and personal property owned by such taxpayer, or in his possession, or under his control, at 12 o'clock meridian, on the first Monday of March.

Yeas and Nays on Assembly Constitutional Amendment No. 19

Excerpt from Assembly Journal for April 23, 1951, page 3341

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—63

NOES—None.

Excerpt from Senate Journal for May 7, 1951, pages 2058 and 2059

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Burns, Byrne, Collier, Coombs, James E. Cunningham, Roy Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Gibson, Hoffman, Hulse, Harold T. Johnson, Judah, Kraft, McBride, McCarthy, Miller, O'Gara, Powers, Regan, Sutton, Tenney, Thompson, Watson, Way, and Weybret—30.

NOES—None.

Assembly Constitutional Amendment No. 20

A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 3 of Article XIII of said Constitution, relating to description of property for assessment

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 1951 Regular Session, commencing on the eighth day of January, 1951, two-thirds of all members elected to each of the two houses voting in

favor thereof, hereby proposes to the people of the State of California that the Constitution of the State be amended by amending Section 3 of Article XIII thereof, to read:

SEC. 3. The Legislature shall provide by law for the assessment of all lands.

Yeas and Nays on Assembly Constitutional Amendment No. 20

Excerpt from Assembly Journal for April 20, 1951, page 3289

The roll was called, and the resolution adopted by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—57.

NOES—None.

Excerpt from Senate Journal for May 1, 1951, page 1884

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Byrne, Collier, Coombs, James E Cunningham, Roy Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Gibson, Hatfield, Hoffman, Hulse, Ed C. Johnson, Judah, Mayo, McBride, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Watson, Way, and Williams—31.

NOES—None.

Assembly Constitutional Amendment No. 29

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1½ of Article XIII thereof, relating to taxation

Resolved by the Assembly, the Senate concurring. That the Legislature of the State of California at its 1951 Regular Session commencing on the eight day of January, 1951, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by amending Section 1½ of Article XIII thereof, to read:

SEC. 1½. All buildings, and so much of the real property on which they are situated as may be required for the convenient use and occupation of said buildings, when the same are used solely and exclusively for religious worship, or, in the case of a building in the course of erection, the same is intended to be used solely and exclusively for religious worship, shall be free from taxation; provided, that no building so used or, if in the course of erection, intended to be so used which may be rented for religious purposes and rent received by the owner therefor, shall be exempt from taxation.

Yeas and Nays on Assembly Constitutional Amendment No. 29

Excerpt from Assembly Journal for March 26, 1951, page 2027

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—68

NOES—None.

Excerpt from Senate Journal for April 18, 1951, pages 1494 and 1495

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Byrne, Collier, Coombs, James E. Cunningham, Roy Cunningham, Desmond, Dillinger, Donnelly, Dorsey, Gibson, Hatfield, Hoffman, Hulse, Ed C. Johnson, Harold T. Johnson, Judah, Kraft, Mayo, McBride, McCarthy, Miller, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Watson, Way, and Weybret—33.

NOES—None.

Assembly Constitutional Amendment No. 40

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 16 to Article XVI thereof, relating to the issuance of bonds to provide farm and home aid for veterans

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its Regular 1951 Session commencing on the eighth day of January, 1951, two-thirds of the members elected to each of the houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by adding Section 16 to Article XVI thereof, to read

SEC. 16. The issuance and sale of bonds of the State of California, not exceeding in the aggregate the sum of one hundred fifty million dollars ($150,000,000), and the use and disposition of the proceeds of the sale of said bonds, all as provided in the Veterans Bond Act of 1951 (Article 5C added to Chapter 6 of Division 4 of the Military and Veterans Code by Chapter 1086 of the Statutes of 1951) authorizing the issuance and sale of state bonds in the sum of one hundred fifty million dollars ($150,000,000) for the purpose of providing a fund to be used and disbursed to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943, and of all acts amendatory thereof and supplemental thereto are hereby authorized and directed and said Veterans Bond Act of 1951 is hereby approved, adopted, legalized, ratified, validated, and made fully and completely effective upon the effective date of this amendment to the Constitution. All provisions of this section shall be self-executing and shall not require any legislative action in furtherance thereof, but this shall not prevent such legislative action. Nothing in this Constitution contained shall be a limitation upon the provisions of this section.

Yeas and Nays on Assembly Constitutional Amendment No. 40

Excerpt from Assembly Journal for April 20, 1951, page 3288

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Moss, Munnell, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—62

NOES—None.

Excerpt from Senate Journal for June 19, 1951, page 3536

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Busch, Collier, Coombs, James E. Cunningham, Roy Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Judah, Kraft, Mayo, McBride, McCarthy, Miller, Parkman, Regan, Sutton, Thompson, Ward, Watson, and Weybret—32.

NOES—None.

Excerpt from Assembly Journal for June 21, 1951, page 6080

The roll was called, and the Assembly concurred in Senate amendment to Assembly Constitutional Amendment No. 40 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Assembly Constitutional Amendment No. 55

A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article XIII thereof a new section to be numbered 19, relating to the proceeds of taxes levied on property in a redevelopment project under the Community Redevelopment Act

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its Regular Session commencing at 12 o'clock noon on the eighth day of January, 1951, two-thirds of all the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by adding to Article XIII thereof a new section to be numbered 19 and to read as follows:

SEC. 19. All property in a redevelopment project established under the Community Redevelopment Law Act as now existing or hereafter amended, except publicly owned property not subject to taxation by reason of such ownership, shall be taxed in proportion to its value as provided in Section 1 of this article, and such taxes (the word "taxes" as used herein shall include, but shall not be limited to, all levies on an ad valorem basis upon land or real property) shall be levied and collected as other taxes are levied and collected by the respective taxing agencies.

The Legislature may provide that any redevelopment plan may contain a provision that the taxes, if any, so levied upon such taxable property in a redevelopment project each year by or for the benefit of the State of California, any city, county, city and county, district, or other public corporation (hereinafter sometimes called "taxing agencies") after the effective date of the ordinance approving the redevelopment plan, shall be divided as follows:

(a) That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of said taxing agencies upon the total sum of the assessed value of the taxable property in the redevelopment project as shown upon the assessment roll used in connection with the taxation of such property by such taxing agency, last equalized prior to the effective date of such ordinance, shall be allocated to, and when collected shall be paid into, the funds of the respective taxing agencies as taxes by or for said taxing agencies on all other property are paid (for the purpose of allocating taxes levied by or for any taxing agency or agencies which did not include the territory in a redevelopment project on the effective date of such ordinance but to which such territory has been annexed or otherwise included after such effective date, the assessment roll of the county last equalized on the effective date of said ordinance shall be used in determining the assessed valuation of the taxable property in the project on said effective date); and

(b) That portion of said levied taxes each year in excess of such amount shall be allocated to and when collected shall be paid into a special fund of the redevelopment agency to pay the principal of and interest on loans, moneys advanced to, or indebtedness (whether funded, refunded, assumed or otherwise) incurred by such redevelopment agency to finance or refinance, in whole or in part, such redevelopment project Unless and until the total assessed valuation of the taxable property in a redevelopment project exceeds the total assessed value of the taxable property in such project as shown by the last equalized assessment roll referred to in paragraph designated (a) hereof, all of the taxes levied and collected upon the taxable property in such redevelopment project shall be paid into the funds of the respective taxing agencies. When said loans, advances, and indebtedness, if any, and interest thereon, have been paid, then all moneys thereafter received from taxes upon the taxable property in such redevelopment project shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid

The Legislature may also provide that in any redevelopment plan or in the proceedings for the advance of moneys, or making of loans, or the incurring of any indebtedness (whether funded, refunded, assumed or otherwise) by the redevelopment agency to finance or refinance, in whole or in part the redevelopment project, the portion of taxes mentioned in paragraph designated (b) hereof may be irrevocably pledged for the payment of the principal of and interest on said loans, advances, or indebtedness.

It is intended by this section to empower any redevelopment agency, city, county, or city and county under any law authorized by this section to exercise the provisions hereof separately or in combination with powers granted by the same or any other law relative to redevelopment agencies. This section shall not affect any other law or laws relating to the same or a similar subject but is intended to authorize an alternative method of procedure governing the subject to which it refers

All of the provisions of the Community Redevelopment Law, as amended in 1951, which relate to the use or pledge of taxes or portions thereof as herein provided, or which, if effective, would carry out the provisions of this section or any part thereof, are hereby approved, legalized, ratified and validated and made fully and completely effective and operative upon the effective date of this amendment.

The Legislature shall enact such laws as may be necessary to enforce the provisions of this section.

Yeas and Nays on Assembly Constitutional Amendment No. 55

Excerpt from Assembly Journal for June 5, 1951, page 5136

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D Collins, Condon, Connolly, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—55.

NOES—None.

Excerpt from Senate Journal for June 18, 1951, page 3492

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Busch, Byrne, Collier, Coombs, James E Cunningham, Roy Cunningham, Desmond, Dilliger, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hatfield, Hulse, Ed C. Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Watson, Weybret, and Williams—34.

NOES—None.

Excerpt from Assembly Journal for June 21, 1951, page 6061

The roll was called, and the Assembly concurred in Senate amendments to Assembly Constitutional Amendment No. 55 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—58.

NOES—None.

Assembly Constitutional Amendment No. 58

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 22 of Article IV thereof, relating to public money

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 1951 General Session commencing on the eighth day of January, 1951, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by amending Section 22 of Article IV of the Constitution, to read as follows:

SEC. 22. No money shall be drawn from the Treasury but in consequence of appropriation made by law, and upon warrants duly drawn thereon by the Controller; and no money shall ever be appropriated or drawn from the State Treasury for the purpose or benefit of any corporation, association, asylum, hospital, or any other institution not under the exclusive management and control of the State as a state institution, nor shall any grant or donation of property ever be made thereto by the State; provided, that whenever federal funds are made available for the construction of hospital facilities by public agencies and nonprofit corporations organized to construct and maintain such facilities, nothing in this Constitution shall prevent the Legislature from making state money available for that purpose, or from authorizing the use of such money for the construction of hospital facilities by nonprofit corporations organized to construct and maintain such facilities; provided, further, that notwithstanding anything contained in this or any other section of the Constitution, the Legislature shall have the power to grant aid to the institutions conducted for the support and maintenance of minor orphans, or half-orphans, or abandoned children or children of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he cannot pursue a gainful occupation, or aged persons in indigent circumstances—such aid to be granted by a uniform rule, and proportioned to the number of inmates of such respective institutions; provided, further, that the Legislature shall have the power to grant aid to needy blind persons not inmates of any institution supported in whole or in part by the State or by any of its political subdivisions; provided, further, that the Legislature shall have power to grant aid to needy physically handicapped persons not inmates

of any institution under the supervision of the Department of Mental Hygiene and supported in whole or in part by the State or by any institution supported in whole or in part by any political subdivision of the State; provided, further, that the State shall have at any time the right to inquire into the management of such institutions; provided, further, that whenever any county, or city and county, or city, or town, shall provide for the support of minor orphans, or half-orphans, or abandoned children, or children of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he cannot pursue a gainful occupation, or aged persons in indigent circumstances, or needy blind persons not inmates of any institution supported in whole or in part by the State or by any of its political subdivisions, or needy physically handicapped persons not inmates of any institution under the supervision of the Department of Mental Hygiene and supported in whole or in part by the State or by any institution supported in whole or part by any political subdivision of the State; such county, city and county, city, or town shall be entitled to receive the same pro-rata appropriations as may be granted to such institutions under church, or other control. An accurate statement of the receipts and expenditures of public moneys shall be attached to and published with the laws at every regular session of the Legislature.

Yeas and Nays on Assembly Constitutional Amendment No. 58

Excerpt from Assembly Journal for June 13, 1951, page 5567

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dills, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, and Mr. Speaker—55.

NOES—None.

Excerpt from Senate Journal for June 22, 1951, page 3775

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Burns, Byrne, Coombs, James E. Cunningham, Roy Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Erhart, Gibson, Hoffman, Ed. C. Johnson, Harold T. Johnson, Judah, Kraft, McCarthy, Miller, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way and Weybret—28.

NOES—Senators Breed, Collier, Dorsey, and Hulse—4.

Excerpt from Assembly Journal for June 23, 1951, page 6559

The roll was called, and the Assembly concurred in Senate amendments to Assembly Constitutional Amendment No. 58 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—68.

NOES—None.

Assembly Constitutional Amendment No. 59

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by repealing Article XIX thereof, relating to Chinese

Resolved by the Assembly, the Senate concurring. That the Legislature of the State of California at its 1951 Regular Session commencing on the eighth day of January, 1951, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by repealing Article XIX thereof.

Yeas and Nays on Assembly Constitutional Amendment No. 59

Excerpt from Assembly Journal for May 25, 1951, page 4755

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stewart, Tomlinson, and Waters—64.

NOES—None.

Excerpt from Senate Journal for June 5, 1951, page 2901

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Burns, Busch, Byrne, Coombs, James E Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hoffman, Ed. C. Johnson, Harold T. Johnson, Judah, Mayo, McBride, McCarthy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Watson, Way, Weybret, and Williams—31.

NOES—None.

Senate Constitutional Amendment No. 5

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 14¾ and 16 of Article XIII thereof, relating to the taxation of insurance companies and banks

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its 1951 Regular Session commencing on the eighth day of January, 1951, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by amending Article XIII thereof:

First, by amending Section 14¾ to read:

SEC 14¾ (a) "Insurer," as used in this section, includes insurance companies or associations and reciprocal or interinsurance exchanges and the State Compensation Insurance Fund. As used in this paragraph, "companies" includes persons, partnerships, joint stock associations, companies and corporations.

(b) An annual tax is hereby imposed on each insurer doing business in this State on the base, at the rates, and subject to the deductions from the tax hereinafter specified

(c) In the case of an insurer not transacting title insurance in this State, the "basis of the annual tax" is, in respect to each year, the amount of gross premiums, less return premiums, received in such year by such insurer upon its business done in this State, other than premiums received for reinsurance and for ocean marine insurance

In the case of an insurer transacting title insurance in this State, the "basis of the annual tax" is, in respect to each year, all income upon business done in this State, except

(1) Interest and dividends.

(2) Rents from real property

(3) Profits from the sale or other disposition of investments.

(4) Income from investments.

"Investments" as used in this subdivision (d) includes property acquired by such insurer in the settlement or adjustment of claims against it but excludes investments in title plants and title records Income derived directly or indirectly from the use of title plants and title records is included in the basis of the annual tax

In the case of an insurer transacting title insurance in this State which has a trust department and does a trust business under the banking laws of this State, there shall be excluded from the basis of the annual tax imposed by this section, the income of, and from the assets of, such trust department and such trust business, if such income is taxed by this State or included in the measure of any tax imposed by this State.

(d) The rate of the tax to be applied to the basis of the annual tax in respect to each year is 2 35 percent.

(e) Each insurer shall have the right to deduct from the annual tax imposed by this section upon such insurer in respect to a particular year the amount of real estate taxes paid by it, in that year, before, or within 30 days after, becoming delinquent, on real property owned by it at the time of payment, and in which was located, in that year, its home office or principal office in this State Such real property may consist of one building or of two or more adjacent buildings in which such an

office is located, the land on which they stand, and so much of the adjacent land as may be required for the convenient use and occupation thereof.

Where as a result of merger, consolidation, or other method of acquisition of substantially all of the assets of one or more insurers by another insurer, effected prior to January 1, 1939, an insurer owns more than one parcel of real property in this State in which was located a home office or principal office of an insurer immediately prior to such acquisition, the owner shall designate one of such properties as its home or principal office. Real estate taxes paid by it in any of the years 1943 to 1952, inclusive, before, or within 30 days after, becoming delinquent, on such property owned by it at the time of payment and not so designated may also be deducted from the annual tax imposed by this section in respect to such year and are included within the deduction provided for in this subdivision.

(f) The tax imposed on insurers by this section is in lieu of all other taxes and licenses, state, county, and municipal, upon such insurers and their property, except:

(1) Taxes upon their real estate.

(2) That an insurer transacting title insurance in this State which has a trust department or does a trust business under the banking laws of this State is subject to taxation with respect to such trust department or trust business to the same extent and in the same manner as trust companies and the trust departments of banks doing business in this State.

(3) When by the laws of any other state or country any taxes, fines, penalties, licenses, fees, deposits of money or securities or other obligations or prohibitions are imposed on insurers of this State doing business in such other state or country, or upon their agents therein, in excess of those imposed upon insurers of such other state or country or upon their agents therein, so long as such laws continue in force, the same obligations and prohibitions of whatsoever kind may be imposed by the Legislature upon insurers of such other state or country doing business in this State, or upon their agents herein.

(4) The tax on ocean marine insurance.

(5) Motor vehicle and other vehicle registration license fees and any other tax or license fee imposed by the State upon vehicles, motor vehicles or the operation thereof.

(g) Every insurer transacting the business of ocean marine insurance in this State shall annually pay to the State a tax measured by that proportion of the underwriting profit of such insurer from such insurance written in the United States, which the gross premiums of the insurer from such insurance written in this State bear to the gross premiums of the insurer from such insurance written within the United States, at the rate of 5 percentum, which tax shall be in lieu of all other taxes and licenses, state, county and municipal, upon such insurer, except taxes upon real estate, and such other taxes as may be assessed or levied against such insurer on account of any other class of insurance written by it. Deductions from the annual tax pursuant to subdivision (e) cannot be made from the ocean marine tax. The Legislature shall define the terms "ocean marine insurance" and "underwriting profit," and shall provide for the assessment, levy, collection and enforcement of the ocean marine tax.

(h) The taxes provided for by this section shall be assessed by the State Board of Equalization

(i) The Legislature, two-thirds of all the members elected to each of the two houses voting in favor thereof, may by law change the rate or rates of taxes herein imposed upon insurers.

(j) This section is not intended to and does not change the law as it has previously existed with respect to the meaning of the words "gross premiums, less return premiums, received" as used in this section or as used in Section 14 or 14¾ of this article.

Second, by amending Section 16 to read:

SEC. 16. 1. (a) Banks, including national banking associations, located within the limits of this State, shall annually pay to the State a tax, at the rate to be provided by law according to or measured by their net income, which shall be in lieu of all other taxes and licenses, state, county and municipal, upon such banks, or the shares thereof, except taxes upon their real property and, when permitted by the Congress of the United States with respect to national banking associations, motor vehicle and other vehicle registration license fees and any other tax or license fee imposed by the State upon vehicles, motor vehicles or the operation thereof.

(b) The Legislature may provide by law for any other form of taxation now or hereafter permitted by the Congress of the United States respecting national banking associations; provided, that such form of taxation shall apply to all banks located within the limits of this State.

2. The Legislature may provide by law for the taxation of corporations, their franchises, or any other franchises, by any method not prohibited by this Constitution or the Constitution or laws of the United States.

3. Any tax imposed pursuant to this section must be under an act passed by not less than two-thirds vote of all the members elected to each of the two houses of the Legislature.

Yeas and Nays on Senate Constitutional Amendment No. 5

Excerpt from Senate Journal for April 24, 1951, page 1648

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Byrne, Collier, James E. Cunningham, Roy Cunningham, Dillinger, Donnelly, Dorsey, Gibson, Hoffman, Hulse, Ed C. Johnson, Harold T. Johnson, Mayo, McBride, McCarthy, Miller, O'Gara, Parkman, Powers, Sutton, Tenney, Ward, Watson, Way, Weybret, and Williams—28

NOES—None.

Excerpt from Assembly Journal for June 22, 1951, page 6380

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—68.

NOES—None.

Senate Constitutional Amendment No. 16

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article VI thereof, relating to the filling of vacancies in the office of judge of the superior court

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its Regular Session commencing on the eighth day of January, 1951, two-thirds of all members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by amending Section 8 of Article VI thereof, to read as follows:

SEC. 8 The term of office of judges of the superior courts shall be six years from and after the first Monday of January after the first day of January next succeeding their election. A vacancy in such office shall be filled by the election of a judge for a full term at the next general state election after the first day of January next succeeding the accrual of the vacancy, except that if the term of an incumbent, elective or appointive, is expiring at the close of the year of a general state election and a vacancy accrues after the commencement of that year and prior to the commencement of the ensuing term, the election to fill the office for the ensuing full term shall be held in the closing year of the expiring term in the same manner and with the same effect as though such vacancy had not accrued. In the event of any vacancy, the Governor shall appoint a person to hold the vacant office until the commencement of the term of the judge elected to the office as herein provided.

Yeas and Nays on Senate Constitutional Amendment No. 16

Excerpt from Senate Journal for March 30, 1951, page 950

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, James E. Cunningham, Roy Cunningham, Desmond, Dilworth, Donnelly, Gibson, Hatfield, Hulse, Ed C. Johnson, Judah, Kraft, Mayo, McCarthy, Miller, O'Gara, Parkman, Powers, Regan, Tenney, Watson, Way, and Williams—30.

NOES—None.

Excerpt from Assembly Journal for April 26, 1951, page 3516

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

Excerpt from Senate Journal for May 3, 1951, page 1961

The roll was called, and the Senate refused to concur in Assembly amendments to Senate Constitutional Amendment No. 16 by the following vote:

AYES—None.
NOES—Senators Breed, Brown, Busch, Byrne, Collier, Coombs, James E. Cunningham, Roy Cunningham, Dillinger, Donnelly, Gibson, Hatfield, Hoffman, Hulse, Ed C. Johnson, Kraft, Mayo, McCarthy, Miller, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Watson, Way, and Williams—28

Excerpt from Assembly Journal for May 15, 1951, page 4291

The roll was called, and the (Conference Committee) report adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hinckley, Holibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lindsay, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Munnell, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—54.
NOES—None.

Excerpt from Senate Journal for May 16, 1951, page 2303

The roll was called, and the (Conference Committee) report adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, James E. Cunningham, Roy Cunningham, Dilworth, Donnelly, Dorsey, Gibson, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Parkman, Regan, Sutton, Thompson, Watson, Way, Weybret, and Williams—30.
NOES—None.

Senate Constitutional Amendment No. 26

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1a of Article XIII thereof, relating to the taxation of property of educational institutions of collegiate grade.

Resolved by the Senate, the Assembly concurring. That the Legislature of the State of California at its 1951 Regular Session commencing on the eighth day of January, 1951, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by amending Section 1a of Article XIII thereof, to read:

SEC. 1a. Any educational institution of collegiate grade, within the State of California, not conducted for profit, shall hold exempt from taxation its buildings and equipment, its grounds within which its buildings are located, not exceeding 100 acres in area, its securities and income used exclusively for the purposes of education.

The exemption granted by this section applies to and includes a building in the course of construction on or after the first Monday of March, 1950, if the same is intended when completed to be used exclusively for the purposes of education

Yeas and Nays on Senate Constitutional Amendment No. 26

Excerpt from Senate Journal for May 15, 1951, page 2254

The names of the absentees were called, and Senate Constitutional Amendment No 26 adopted by the following vote:

AYES—Senators Breed, Burns, Byrne, Collier, Coombs, James E. Cunningham, Roy Cunningham, Dilworth, Dorsey, Gibson, Hatfield, Hoffman, Hulse, Ed C Johnson, Harold T. Johnson, McCarthy, Miller, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Watson, Way, Weybret, and Williams—27.
NOES—None.

Excerpt from Assembly Journal for May 18, 1951, pages 4514-4515

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis,

Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—69.

NOES—None.

Senate Constitutional Amendment No. 28

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 22 of Article IV thereof, relating to appropriations of public funds.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its 1951 Regular Session commencing on the eighth day of January, 1951, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by amending Section 22 of Article IV of the Constitution to read as follows:

SEC. 22. No money shall be drawn from the Treasury but in consequence of appropriation made by law, and upon warrants duly drawn thereon by the Controller; and no money shall ever be appropriated or drawn from the State Treasury for the purpose or benefit of any corporation, association, asylum, hospital, or any other institution not under the exclusive management and control of the State as a state institution, nor shall any grant or donation of property ever be made thereto by the State; provided, that notwithstanding anything contained in this or any other section of the Constitution, the Legislature shall have the power to grant aid to the institutions conducted for the support and maintenance of minor orphans, or half-orphans, or abandoned children, or children of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he cannot pursue a gainful occupation, or aged persons in indigent circumstances—such aid to be granted by a uniform rule, and proportioned to the number of inmates of such respective institutions, provided, further, that the Legislature shall have the power to grant aid to needy blind persons not inmates of any institution supported in whole or in part by the State or by any of its political subdivisions, and no person concerned with the administration of aid to needy blind persons shall dictate how any applicant or recipient shall expend such aid granted him, and all money paid to a recipient of such aid shall be intended to help him meet his individual needs and is not for the benefit of any other person, and such aid when granted shall not be construed as income to any person other than the blind recipient of such aid, and the State Department of Social Welfare shall take all necessary action to enforce the provisions relating to aid to needy blind persons as heretofore stated; provided further, that the Legislature shall have power to grant aid to needy physically handicapped persons not inmates of any institution under the supervision of the Department of Mental Hygiene and supported in whole or in part by the State or by any institution supported in whole or part by any political subdivision of the State; provided further, that the State shall have at any time the right to inquire into the management of such institutions; provided further, that whenever any county, or city and county, or city, or town, shall provide for the support of minor orphans, or half-orphans, or abandoned children, or children of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he cannot pursue a gainful occupation, or aged persons in indigent circumstances, or needy blind persons not inmates of any institution supported in whole or in part by the State or by any of its political subdivisions, or needy physically handicapped persons not inmates of any institution under the supervision of the Department of Mental Hygiene and supported in whole or in part by the State or by any institution supported in whole or part by any political subdivision of the State, such county, city and county, city, or town shall be entitled to receive the same pro rata appropriations as may be granted to such institutions under church, or other control. An accurate statement of the receipts and expenditures of public moneys shall be attached to and published with the laws at every regular session of the Legislature.

Yeas and Nays on Senate Constitutional Amendment No. 28

Excerpt from Senate Journal for June 4, 1951, page 2864

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hoffman, Hulse, Ed C. Johnson, Judah, Mayo, McCarthy, Miller, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Watson, Weybret, and Williams—32.

NOES—None.

Excerpt from Assembly Journal for June 14, 1951, page 5653

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Connolly, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—54.

NOES—None.

TEXT OF ASSEMBLY BILLS WHICH WILL BE SUBMITTED TO A VOTE OF THE ELECTORS TOGETHER WITH THE YEAS AND NAYS THEREON

The text of the following Assembly bills, which have passed both houses of the Legislature, have been approved by the Governor, and will be submitted to a vote of the electors, are entered on the Journal, together with the yeas and nays thereon:

Assembly Bill No. 1018
Chapter 1584

An act to add Sections 53 and 3928.1 to, and to amend Section 3946 of, the Elections Code, relating to designation of party affiliation of candidates on ballots; and providing for the submission thereof to the electors for approval or rejection pursuant to paragraph 3 of Section 1 of Article IV of the California Constitution.

The people of the State of California do enact as follows:

SECTION 1. Section 53 is added to the Elections Code, to read:

53. On the ballots for any special election at which a partisan office is to be filled there shall be printed in the manner prescribed by Section 3928.1 after the name of each partisan candidate the designation of the party with which such candidate is affiliated.

SEC. 2. Section 3928.1 is added to said code, to read:

3928.1. On the direct primary ballots of each political party, in the same line in which the name of a candidate for any partisan office is printed and at the right of the name, or immediately below the name if there is not sufficient space to the right thereof, shall be printed the name of the political party with which the candidate is affiliated as shown in the affidavit of registration of the candidate. The name of such political party may be abbreviated by printing not less than the first three letters of the name of such political party. If the names of two or more political parties qualified to participate in the primary commence with the same first three letters sufficient additional letters of each such names shall be printed so that each party will be clearly identified.

SEC. 2. Section 3946 of said code is amended to read:

3946. Except as to the order of the names of candidates the ballot shall be printed in substantially the following form.

(NOTE: *Ballots are not shown herein.*)

SEC. 3. This act shall be presented to the electors for approval or rejection on the ballot at the same election at which is presented an initiative measure titled "An act to prohibit cross filing and to prevent any person from becoming a candidate or nominee of any political party unless he has been continuously registered as a member of that party for at least three months immediately prior to filing of nomination papers for the office he seeks and to invalidate any law in conflict with this act," as an alternative to such measure, pursuant to paragraph 3 of Section 1 of Article IV of the California Constitution.

Excerpt from Assembly Journal for April 19, 1951, page 3219

The question being on the passage of Assembly Bill No. 1018.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Niehouse, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—62.

NOES—Beck, Davis, Hagen, Henderson, Lowrey, McFall, Munnell, Parker, and Rosenthal—9.

Excerpt from Senate Journal for June 23, 1951, page 3921

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Collier, Coombs, James E Cunningham, Roy Cunningham, Dillinger, Dorsey, Erhart, Hoffman, Ed. C Johnson, Harold T Johnson, Judah, Mayo, McBride, O'Gara, Parkman Regan, Sutton, Tenney, Thompson, Ward, Watson, Way, Weybret, and Williams—26.

NOES—Senators Donnelly and Kraft—2.

Excerpt from Assembly Journal for June 23, 1951, page 6680

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1018 by the following vote:

AYES—Babbage, Belotti, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Crowley, Dolwig, Doyle, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Morris, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—48

NOES—Beck, Berry, Coats, George D Collins, Condon, Elliott, Gaffney, Hagen, Hawkins, Henderson, Kilpatrick, Lowrey, McFall, Moss, Munnell, Parker, and Shaw—17.

Assembly Bill No. 2924
Chapter 1650

An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by amending Sections 1, 2, 3, 10, 12, and 15, adding 10 5, and repealing Section 8 thereof, relating to the State Board of Chiropractic Examiners and the practice of chiropractic, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

The people of the State of California do enact as follows:

SECTION 1 Section 1 of the act cited in the title hereof is amended to read:

Section 1. A board is hereby created to be known as the "State Board of Chiropractic Examiners," hereinafter referred to as the board, which shall consist of seven members, citizens of the State of California, appointed by the Governor. Each member must have pursued a resident course in a regularly incorporated chiropractic school or college, and must be a graduate thereof and hold a diploma therefrom

Each member of the board first appointed hereunder shall have practiced chiropractic in the State of California for a period of three years next preceding the date upon which this act takes effect, thereafter appointees shall be licentiates hereunder. No more than two persons shall serve simultaneously as members of said board who are residents of any one county of the State And no person connected with any chiropractic school or college shall be eligible to appointment as a member of the board. Each member of the board, except the secretary, shall receive a per diem of thirty dollars ($30) for each day during which he is actually engaged in the discharge of his duties, together with his actual and necessary traveling expenses incurred in connection with the performance of the duties of his office, such per diem, traveling expenses and other incidental expenses of the board or of its members to be paid out of the funds of the board hereinafter defined and not from the State's taxes.

SEC 1 5 Section 2 of said act is amended to read:

SEC 2. Within 60 days of the date upon which the latest amendment to this section takes effect, the Governor shall appoint two additional members of the board Of the members so appointed, one shall be appointed for a term expiring February 10, 1954, and the other for a term expiring February 10, 1955. The terms with respect to members of the board which terms are in existence on the date the latest amendment to this section takes effect, shall expire as if this section had not been amended, that is, two on February 10, 1953, one on February 10 1954, and two on February 10, 1955 Thereafter, each appointment shall be for the term of three years, except that an appointment to fill a vacancy shall be for the unexpired term only Each member shall serve until his successor has been appointed and qualified The Governor may remove a member from the board after receiving sufficient proof of the inability or misconduct of said member.

SEC. 2. Section 3 of said act is amended to read:

SEC 3. The board shall organize by the election of a president, and a vice president to be chosen from the members of the board, and a secretary, who may, but need not be a member of the board. The board shall fix the salary of the secretary, with the

approval of the Director of Finance Thereafter elections of officers shall occur annually at the January meeting of the board. A majority of the board shall constitute a quorum.

It shall require the affirmative vote of four members of said board to carry any motion or resolution, to adopt any rule, or to authorize the issuance of any license provided for in this act The secretary shall receive a salary to be fixed by the board, together with his actual and necessary traveling expenses incurred in connection with the performance of the duties of his office, and shall give bond to the State in such sum with such sureties as the board may deem proper. He shall keep a record of the proceedings of the board, which shall at times during business hours be open to the public for inspection. He shall keep a true and accurate account of all funds received and of all expenditures incurred or authorized by the board, and on the first day of December of each year he shall file with the Governor a report of all receipts and disbursements and of the proceedings of the board for the preceding fiscal year.

SEC. 3. Section 8 of said act is hereby repealed.

SEC 4 Section 10 of said act is amended to read

SEC. 10 (a) The board shall refuse to grant, or may suspend or revoke, a license to practice chiropractic in this State upon any of the following grounds, to wit: the employment of fraud or deception in applying for a license or in passing an examination as provided in this act; the practice of chiropractic under a false or assumed name; or the personation of another practitioner of like or different name; the conviction of a crime involving moral turpitude; habitual intemperance in the use of ardent spirits, narcotics or stimulants to such an extent as to incapacitate him for the performance of his professional duties; the advertising of any means whereby the monthly periods of women can be regulated or the menses re-established if suppressed; or the advertising, directly, indirectly or in substance, upon any card, sign, newspaper advertisement, or other written or printed sign or advertisement, that the holder of such license or any other person, company or association by which he or she is employed, or in whose services he or she is, will treat, cure, or attempt to treat or cure, any venereal disease, or will treat or cure, or attempt to treat or cure, any person afflicted with any sexual disease, for lost manhood, sexual weakness or sexual disorder or any disease of the sexual organs; or being employed by, or being in the service of any person, company or association so advertising; or any other act which constitutes unprofessional conduct. The proceedings for the refusal to grant, suspend or revoke a license upon any of the foregoing grounds shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code as it now reads or as it may be hereafter amended by the Legislature, and the board shall have all the powers granted therein. The secretary on all cases of revocation shall enter on his register the fact of such revocation, and shall certify the fact of such revocation under the seal of the board to the county clerk of the counties in which the certificates of the person whose certificate has been revoked is recorded; and said clerk must thereupon write upon the margin or across the face of his register of the certificate of such person the following: "This certificate was revoked on the _____ day of _____," giving the day, month and year of such revocation in accordance with said certification to him by said secretary. The record of such revocation so made by said county clerk shall be prima facie evidence of the fact thereof, and of the regularity of all proceedings of said board in the matter of said revocation.

(b) At any time after two years following the revocation or cancellation of a license or registration under this section, the board may, by a majority vote, reissue said license to the person affected, restoring him to, or conferring on him all the rights and privileges granted by his original license or certificate. Any person to whom such rights have been restored shall pay to the secretary the sum of twenty-five dollars ($25) upon the issuance of a new license.

(c) All licenses granted under this act shall be renewed annually. The issuance of such renewal licenses shall be contingent upon submission of evidence satisfactory to the board, of the applicant having completed at least 16 hours of post-graduate studies within the previous year.

SEC. 5. Section 10 5 is added to said act, to read:

SEC. 10 5. The employing directly or indirectly of any suspended or unlicensed practitioner in the practice of any system or mode of treating the sick or afflicted, or the aiding or abetting of any unlicensed person to practice any system or mode of treating the sick or afflicted, constitutes unprofessional conduct within the meaning of this chapter.

Unprofessional conduct as used in this act is defined as follows:

(a) The procuring, aiding or abetting in the procuring of criminal abortion; the paying for steering patients into one's office; obtaining a fee on the assurance that a manifestly incurable disease can be made entirely well; the wilful betrayal of professional secrets of a patient to the detriment of such patient; chiropractic advertising which is untrue or misleading; conviction of any offense involving moral turpitude; wilful neglect of a patient in a critical condition.

SEC. 6 Section 12 of said act is amended to read:

SEC. 12 Each person practicing chiropractic within this State shall, on or before the first day of January of each year, after a license is issued to him as herein

provided, pay to said Board of Chiropractic Examiners a renewal fee of not less than two dollars ($2) nor more than ten dollars ($10) as may be set by the board. The secretary shall, on or before November 1st of each year, mail to all licensed chiropractors in this State a notice that the renewal fee will be due on or before the first day of January next following Nothing in this act shall be construed to require the receipts to be recorded in like manner as original licenses The failure, neglect or refusal of any person holding a license or certificate to practice under this act in the State of California to pay said annual fee during the time his or her license remains in force shall, after a period of 60 days from the first day of January of each year, ipso facto, work a forfeiture of his or her license or certificate, and it shall not be restored except upon the written application therefor and the payment to the said board of a fee of twenty-five dollars ($25), except that such licentiate who fails, refuses or neglects to pay such annual tax within a period of 60 days after the first day of January of each year shall not be required to submit to an examination for the reissuance of such certificate.

Any licentiate serving in the armed forces of the United States shall be exempt from payment of the renewal fee during such period of service and for one year thereafter.

SEC. 7. Section 15 of said act is amended to read:

SEC. 15 Any person who shall practice or attempt to practice chiropractic, or any person who shall buy, sell or fraudulently obtain a license to practice chiropractic, whether recorded or not, or who shall use the title "chiropractor" or "D.C" or any word or title to induce, or tending to induce belief that he is engaged in the practice of chiropractic, without first complying with the provisions of this act; or any licensee under this act who uses the word "doctor" or the prefix "Dr." without the word "chiropractor," or "D.C." immediately following his name, or the use of the letters "M.D." or the words "doctor of medicine," or the term "surgeon," or the term "physician," or the word "osteopath," or the letters "D O." or any other letters, prefixes or suffixes, the use of which would indicate that he or she was practicing a profession for which he held no license from the State of California, or any person who shall violate any of the provisions of this act, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than two hundred dollars ($200) and not more than six hundred dollars ($600), or by imprisonment in the county jail for not less than 30 days nor more than 90 days, or both.

SEC. 8. Sections 1 to 7, inclusive, of this act shall become effective only when submitted to and approved by the electors, pursuant to Section 1b of Article IV of the Constitution of the State

SEC. 9 Sections 1 to 7, inclusive, of this act shall be submitted to the electors for their approval or rejection at the next succeeding general election occurring at any time subsequent to 130 days after this section takes effect, or at any state-wide special election which may be called by the Governor, in his discretion, prior to such general election, in the same manner that a constitutional amendment proposed by the Legislature would be submitted, and all of the provisions of law relative to submission of such constitutional amendments to the electors and to matters incidental thereto shall apply to the submission of Sections 1 to 7, inclusive, of this act, except as otherwise provided in this section or as such provisions may be clearly inapplicable for the submission of an amendment to an initiative measure pursuant to Section 1b of Article IV of the State Constitution.

Excerpt from Assembly Journal for June 13, 1951, page 5568

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Cooke, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Excerpt from Senate Journal for June 23, 1951, page 3871

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Collier, James E. Cunningham, Roy Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hoffman, Hulse, Ed. C Johnson, Harold T Johnson, Kraft, Mayo, McBride, McCarthy, O'Gara, Parkman, Sutton, Thompson, Watson, Way, Weybret, and Williams—28.

NOES—None.

Excerpt from Assembly Journal for June 23, 1951, page 6628

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2924 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Waters—60.

NOES—None.

COMMITTEE FROM THE SENATE

Senators Thompson, McCarthy, Byrne, Regan, and Watson appeared before the bar of the Assembly, and announced that the Senate had concluded its labors and was now ready to adjourn *sine die*.

REPORTS OF SELECT COMMITTEES

The Select Committee appointed to wait upon the Senate appeared before the bar of the Assembly, and reported that the instructions of the Assembly had been carried out, and that the Senate had concluded its labors and was ready to adjourn *sine die*.

The Select Committee appointed to wait upon His Excellency, the Governor, appeared before the bar of the Assembly, and reported that it had communicated with the Governor, and that he had no further communication to make to the Assembly.

MOTION TO APPROVE JOURNALS

Upon motion of Mr. McCollister, the Journals for Thursday, June 14, 1951; Friday, June 15, 1951; Monday, June 18, 1951; Tuesday, June 19, 1951; Wednesday, June 20, 1951; Thursday, June 21, 1951; Friday, June 22, 1951, and Saturday, June 23, 1951, were approved as corrected by the Minute Clerk.

REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON ELECTIONS AND REAPPORTIONMENT

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE, June 21, 1951

HONORABLE SAM L. COLLINS
Speaker of the Assembly
State Capitol, Sacramento 14, California

DEAR SPEAKER COLLINS: During the past year and one-half the Assembly Interim Committee on Elections and Reapportionment undertook a study of the problem of reapportionment of the assembly, state senate and congressional districts. The committee was ably assisted by many interested citizens who devoted much time and effort to produce a satisfactory solution. To them we are deeply indebted.

The committee would also like to mention the efforts of those who participated as members of the staff of the committee, and for whose services we are deeply appreciative. Dr. Ivan Hinderaker, Associate Professor of Political Science at the University of California at Los Angeles, was most generous, and in a large degree this report is the result of his good work. Working with Dr. Hinderaker and under his direction were Mr. Leroy Hardy, Miss Jeniellen Ferguson, Miss Eva Zimbler, Mrs Evelyn Hinderaker, Mrs. Betty Lien and Mrs. Janet Minott. Their efforts in the fields of statistical and historical research were of great value to the committee.

Mr. Robert G. Hinshaw of the office of the Legislative Counsel acted as counsel for the committee. His timely legal advice enabled us to avoid many problems thereby greatly facilitating the work of the committee.

Mr. Joseph Donovan served as executive secretary to the committee. His services were of marked and positive value, and we are indebted to him.

We also wish to express our appreciation to Mrs. Irene Anderson, secretary to the committee, for her loyal, efficient, and courteous assistance to us in our work.

The Honorable George D. Collins of San Francisco is preparing a supplementary report which will be filed at a later date.

Respectfully submitted

LAUGHLIN E. WATERS	EARL W. STANLEY
L. STEWART HINCKLEY	ROBERT I. MCCARTHY
CHARLES J. CONRAD	WILLIAM CLIFTON BERRY
STANLEY T. TOMLINSON	AUGUSTUS F. HAWKINS
MONTIVEL A. BURKE	GEORGE D. COLLINS, JR.
GORDON R. HAHN	LESTER T. DAVIS
MARVIN SHERWIN	(Concurring in part)

INTRODUCTION

The Assembly Interim Committee on Elections and Reapportionment was created pursuant to the provisions of House Resolution 197 of the 1949 Regular Session, adopted June 29, 1949, Assembly Journal, pp. 5215-5216. The committee was authorized to study and analyze all facts relating to elections and reapportionment, the salient language being:

"1. The Assembly Interim Committee on Elections and Reapportionment is hereby created and authorized and directed to ascertain, study and analyze all facts relating to elections and reapportionment, including but not limited to the operations, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation." (See H.R. 197, 1949 Regular Session, in appendix.)

The Interim Committee was continued by House Resolution 28, adopted January 10, 1951, Assembly Journal, pp. 174-175, and authorized to act until adjournment sine die of the 1951 Regular Session. (See H.R. 28, 1951 Regular Session, in appendix.)

The following Members of the Assembly were appointed to and served as members of the committee:

Laughlin E. Waters, Chairman, 58th District; L. Stewart Hinckley, Vice Chairman, 73d District; Glenn M. Anderson, 46th District; Wm. Clifton Berry, 23d District; Montivel A. Burke, 53d District; Arthur W. Coats, Jr., 4th District; George D. Collins, Jr., 22d District; Charles J. Conrad, 57th District; Lester T. Davis, 2d District; Gordon R. Hahn, 66th District; Marvin Sherwin, 16th District; Earl W. Stanley, 74th District; Stanley T. Tomlinson, 37th District.

During the interim period the Honorable William Clifton Berry, 23d District, resigned because of illness and was replaced by the Honorable Robert I. McCarthy, 25th District, and the Honorable Augustus F. Hawkins, 62d District, served in the place of Honorable Glenn M. Anderson, 46th District, who resigned.

At the organizational meeting of the committee, held in Los Angeles on September 16, 1949, the committee determined that its work should be divided into two major categories:

A. Needed revision of election laws; and

B. Reapportionment of Assembly, State Senate and Congressional Districts.

A. REVISION OF ELECTION LAWS

While discussion established that the Elections Code was in need of extensive revision, it was determined by the committee that such work should not be undertaken at this time but that its efforts in this field should be limited to the processing of the necessary changes as recommended by the County Clerk's Association and that any major program should be postponed to a later session. It was further determined that, insofar as possible, all proposed revisions of the election laws be considered by the committee during the interim period so that more time during the 1951 Regular Session would be available for work on reapportionment problems. To that end the County Clerk's Association was requested

to submit to the interim committee all suggested changes in the election laws, and a meeting was held on December 8, 1950, in Los Angeles to consider the recommendations. Mr. Benjamin Hite, Registrar of Voters of Los Angeles County, representing the Elections Committee of the County Clerk's Association, was the principal witness.

Following is a summary of action taken on proposed legislation submitted to the interim committee at its December 8th meeting. The summary was prepared by Benjamin Hite.

Elections Code Number	*Subject matter of recommendation*	*Interim committee action*
46.5	Circulators of petitions	Recommended for adoption
48.5	Authority to call meetings of County Clerk's Association	No motion. Basic objection—Expenses
226.5	Affidavits of registration	Recommended for adoption
293, 295, 296	Cancellations of nonvoters	No motion
370	Printing of indices of registration	Recommended for adoption
658	Eligibility of election officers	No motion
678.5	Relating to precinct boards and polling places	Recommended for adoption
688	Relating to oaths	Recommended for adoption
1513	Ballot pamphlets	Recommended for adoption
2111, 2152, 2155, 2301, 2350, 2353, 2402, 2574, 2576	Eliminating reference to May and August primary	Recommended for adoption
2454, 2455, 2456, 2457, 2458, 2459	County central committee ballot	Recommended for adoption
2540	Relating to qualified political parties	Recommended for adoption
2571, 2573	Statement of registration and notification of Secretary of State as to offices to be nominated	Recommended for adoption
2598	Name of candidate	Recommended for adoption
2801	State central committee proxies	Moved re-referred to Secretary of State. Form
2836, 2837	County central committees	To be resubmitted—2836 and clarify 2837
2897, 2898	Death or disqualification of a candidate	Recommended for adoption
3041	Independent nominations; filling vacancies	Resubmitted. Amend to delete 75 to 100 and reduce to 1 percent of vote cast at last general election for special elections

Elections Code Number	*Subject matter of recommendation*	*Interim committee action*
3041.5	Independent nominations; filling vacancies	Withdraw
3043 3084 3150	Time for filing independent nominations	Recommended for adoption
3824 3945	Numbering of ballots	Recommended for adoption
3829	Ballot instructions for presidential election	Recommended for adoption Print President and Vice President where party occurs
3830	Form of ballot	Recommended for adoption
3924	Form of primary ballot	Recommended for adoption
4530 4536	Campaign expenses	Rewrite and resubmit. Expenditures
5503 5553 5805 5809	Instruction to voters card Mark copy of index Number of members absent from polls Marking on affidavit of registration	Recommended as amended in 5805. *Two members to be on duty at all times*
5565	Roster of voters and form	Recommended for adoption
5736 7101 7102	Return of ballots	Recommended for adoption
6342	Voting machine precinct boards	Recommended for adoption
7207	Public inspection of tally lists	Recommended for adoption
7964 7971	Official canvass at primary election	Resubmit to legislative counsel
7964.5	Re-tally of ballots at primary election	Recommended for adoption
8001 8002 8003 8004 8005 8008	Recount of ballots	Recommended as amended in 8002. * * * *notify the candidates affected by registered mail* * * *
8137 8138 8139 8140 10552	Proceedings after announcement of election returns	Referred to legislative counsel
9050	Numbering of consolidated precincts	Recommended for adoption
Education Code		
1801 1802 1834	Annual election of trustees—time and place	Approved but referred to Committee on Education
Health and Safety Code		
32002 2	Hospital districts	Favorable recommendation. Re-referred to committee

Street and Highways Code Number	*Subject matter of recommendation*	*Interim committee action*
5026	Relating to notification of street name change	Refer to county and city governments
19090 19091 19092 19094 19250	Relating to calling and conducting elections	Redraft 19094. Resubmit as amended

Those measures above-listed which were recommended by the Interim Committee were subsequently introduced at the commencement of the 1951 Regular Session by various members of the committee and were presented to the Legislature as the work of the interim committee. Additionally, other measures were introduced which had been discussed during committee sessions held throughout the interim period.

This method of proceeding, i.e., consideration of proposed legislation during the interim period proved most advantageous in that it facilitated the presentation of testimony of witnesses through the holding of meetings in localities convenient to the witnesses and it measurably reduced the amount of time required for consideration of the legislation in committee during the Regular Session of 1951. Much of the legislation so considered was enacted into law during the present session. It is the recommendation of the committee that a similar method of proceeding be adopted by any continuing interim committee and that a thorough revision of the entire Elections Code be undertaken.

B. REAPPORTIONMENT OF ASSEMBLY, STATE SENATE AND CONGRESSIONAL DISTRICTS

With the completion of the Federal Decennial Census of 1950, California was again confronted with the problem of redesigning the boundaries of the state assembly districts and of the districts of the Members of the House of Representatives of the United States Congress. This task, while mandatory in the above instances, also included minor revisions of the districts of the State Senate although it is neither contemplated nor provided for in the law that this will be a recurring problem each decade.

California, during the preceding 10-year period, has been the scene of the greatest mass shift of population known to recorded history, and while this transition has brought new honor and glory to California, it has also been productive of great problems. Not only has this population shift come from without the confines of the State, but within the State there have been significant readjustments of population concentrations from county to county. These problems were directly reflected in the study of reapportionment. Since it is required by law that the "* * * assembly districts shall be as nearly equal in population as may be," (Article IV, Section 6, State Constitution) it was necessary to follow these population shifts within the State by eliminating districts in those areas which had not kept pace with the over-all state growth and reconstituting them in areas where the growth had been greatest.

In somewhat similar manner congressional districts are redesigned. While the congressional entitlement of a state is determined by its total population, there is no requirement in either federal or state law that the districts be equal in population. Traditionally, however, it has been felt to be desirable to constitute the congressional districts on an equal population basis consistent with the provisions of the state law applicable. California, with its 53.3 percent increase in population since the census of 1940 was entitled by the census of 1950 to seven new seats raising its congressional entitlement from 23 to 30, thereby complicating the problem.

The plan of representation of the California Senate is based primarily on counties and not on population. The Senatorial districts shall be composed of not less than one nor more than three counties. (Article IV, Section 6, State Constitution. While minor changes were made in several senatorial districts, such were not required under existing law, and the changes as finally reflected in the legislation presented to the Legislature were the result of recommendations of citizens in the counties affected.

Upon the failure of the Legislature to effect the necessary redistricting of the assembly districts, the task falls to a Reapportionment Commission composed of the Lieutenant Governor, Attorney General, Controller, Secretary of State, and Superintendent of Public Instruction. (Article IV, Section 6, State Constitution). This commission, however, has no jurisdiction over the congressional districts, but Federal law wisely provides for those instances wherein the various states have failed to act, such provisions thus insuring that each state will continue to have its proper representation in the House of Representatives.

The job of redrawing legislative district lines has been a recurring one in California and the other 47 states. Yet, there are almost no written accounts giving a step by step description of the process to be followed. The interim committee could find little to use as a basis for its researches. The section of this report dealing with *reapportionment,* therefore, is designed to partially correct that situation by supplying a record of the manner in which the committee attempted to work. Because this report may be read not only by legislators, but also by students of government, some materials and examples are included in an attempt to produce a better understanding of the nature of the reapportionment process.

LEGAL BACKGROUND

CONGRESSIONAL DISTRICTS

FEDERAL CONSTITUTIONAL AND STATUTORY BACKGROUND

When the framers of the U. S. Constitution established the plan of representation of the U. S. House of Representatives on a population basis, they recognized the need for periodic readjustments in order that the allocation of Congressional seats to the states might be kept abreast of population shifts. Article I, Section 2, paragraph 3, as amended by the Fourteenth Amendment, provides in part:

> "Representatives shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state, excluding Indians not taxed. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of 10 years, in such manner as they shall by law direct."

The Federal Government has conducted a census of population in the United States every 10 years since 1890. Seats in the United States House of Representatives were reapportioned after each census until 1920 During this period, with only one exception, reapportionment was achieved by increasing the size of the House. The states gaining in relative population would get increased representation, but the states losing would retain the representation they already had.

After the 1920 census, the Congress balked. The size of the House had jumped from 65 in the first Congress to the 435 members set after the census of 1910. Many were of the opinion the House would become too unwieldy as a parliamentary body, and it should not be allowed to grow beyond the 435 figure.

The alternative to a flexible membership was fixed membership. If the size was to stay at 435, the process of reallocating House seats would become more politically painful because some states which had not gained enough in relative population would be forced to give up representation to states which had. Both factors—the desire to hold membership at 435, and the painfulness of the process of taking representation from the smaller rural states—tended to produce a standoff and the result was no action at all.

Congress waited another eight years before it passed the Automatic Reapportionment Act of 1929. Membership of the House was fixed at 435. The political difficulty of depriving states of representation was recognized in the so-called "automatic" provision which, though Congress retained a final check, placed primary responsibility for reapportionment of representatives to the states in the hands of the President of the United States.

Under the act, as amended in 1941 (55 Stat. 761; U. S. C. 2:2a), the President is directed to submit on the first day, or within a week thereafter, of the first regular session of Congress after each decennial census, a statement showing the population of each state and the number of representatives to which each state is entitled on the basis of its population. The actual preparation of this plan is the responsibility of the Director of the Bureau of the Census. He is bound by law to use the "equal proportions" mathematical formula for arriving at his allocations.

If the Congress takes no action on the proposal within a period of 15 days, the Clerk of the House of Representatives is directed to notify the governor of each state of the number of representatives assigned to his state.

This was the procedure followed in 1931, 1941, and is the one being followed in 1951. Congress may, however, rescind its action if it so desires.

President Truman's reapportionment message was submitted to the Congress on January 9, 1951 The message read as follows:

"MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

"Transmitting

"A message relating to the decennial censuses and the apportionment of Representatives in Congress, pursuant to the provisions of Section 22 of the Act of June 18, 1929, as amended (2 U. S. C. 2A)

"January 9, 1951.—Referred to the Committee on the Judiciary and ordered to be printed

"To the Congress of the United States:

"In compliance with the provisions of section 22 of the act of June 18, 1929, as amended (2 U. S. C. 2a), relating to the decennial censuses and the apportionment of Representatives in Congress, I transmit herewith a statement prepared by the Director of the Census, Department of Commerce, giving the whole number of persons in each State as ascertained under the Seventeenth Decennial Census of Population, and the number of Representatives to which each State is entitled under an apportionment of the existing number of Representatives. All Indians are included in the tabulation of total population, since all Indians are now subject to Federal taxation.

"Under the law, each State will be entitled, commencing in the Eighty-third Congress to the number of Representatives shown in the statement. In a House of 435 Members, the number fixed by law, the population changes reflected by the census will require a change in the number of Representatives for 16 States. Seven States will gain, and nine States will lose seats.

"In accordance with the statute, it will be the duty of the Clerk of the House of Representatives, within 15 calendar days after the receipt of the statement I am now transmitting, to certify to the executive of each State the number of Representatives to which such State is entitled. The statute then prescribes the ways in which any changes in the number of Representatives shall be handled until the States shall have redistricted in accordance with the changes in population.

"These procedures of existing law are of great value to the operation of our Government. They provide an established method of carrying out, almost automatically, the constitutional plan for apportioning Representatives among the States on the basis of population.

"However, certain problems have arisen with respect to the creation of appropriate districts within the States, which merit the consideration of the Congress.

"Over the years, widespread discrepancies have grown up between the populations of the various congressional districts. While

some variation is inevitable, the extreme differences that now exist can and should be corrected. For example, there is one State in which, according to the 1950 census, the smallest district has a population of under 175,000 and the largest district has a population exceeding 900,000. In many States there are differences of two or three hundred thousand people between the smallest and largest existing districts in the State. While about half of the congressional districts throughout the country are between 300,000 and 400,000 in population, there are some 50 districts with a population of 250,000 or less, and, at the other extreme, some 50 districts with a population of 450,000 or over. Furthermore, as population has increased, several States have added Congressmen-at-large instead of redistricting as they should.

"Such defects in our system of congressional districts obstruct the effective operation of the democratic principles on which our whole Government rests. It is fundamental to the whole structure of the Constitution that all citizens have equal representation, so far as practicable, in the House of Representatives. This basic principle is not carried out unless congressional districts are drawn up to reflect population changes.

"The present statute clearly contemplates that the states will redistrict after an apportionment. Redistricting is the task of the state legislatures and must, of course, continue to be so. However, it is also a matter of national concern and the Congress has a constitutional obligation in this field which cannot be overlooked. Article I, Section 4, of the Constitution provides that the times, places, and manner of holding elections for Representatives shall be prescribed in each state by the legislature thereof, but Congress may by law make or alter such regulation.

"For many years the Congress exercised this power. From 1842 through 1911 the apportionment statutes enacted by the Congress as the result of each succeeding census required each state having more than one Representative to divide itself into single-member districts, thus holding down the number of Congressmen-at-Large. This requirement is not included in the legislation which now governs the subject. Furthermore, prior to 1929, many of the apportionment statutes enacted by the Congress called upon the states to follow certain standards in establishing congressional districts. They usually provided, as for example in the 1911 act (37 Stat. 13), that in each state entitled under the apportionment to more than one Representative, the Representatives should be elected by—

> districts composed of contiguous and compact territory, and containing as nearly as practicable an equal number of inhabitants.

These standards provided a guide for the states which was, in most cases, followed.

"It seems to me desirable that the Congress at this time should give its attention to this important problem and enact legislation, supplemental to the permanent legislation on this subject, which would provide the states with standards for establishing congressional districts and indicate the congressional interest in compliance with such standards.

"Such legislation might reaffirm the basic policy of our government to have single-member districts It might also repeat the old and accepted standard that congressional districts be composed of contiguous and compact territory and contain as nearly as practicable the same number of individuals. To give more definitiveness to such standards, it might be advisable for the Congress to consider establishing limits for the permitted deviations in population between districts. It would be possible, for example, for the statute to specify that no district in any state should deviate upward or downward from the average population of all congressional districts within that state by more than a specified percentage. In terms of the present census, assuming an average district of about 350,000 persons, a percentage permitting a range of about 50,000 above and below that figure would probably allow for the practical difficulties which state legislatures face in drawing up district boundaries.

"The Congress should not be satisfied merely with enacting such standards. It should assume responsibility for seeing that the standards are in fact complied with. This might be done by providing for adequate reports from the states on the action they have taken in redistricting and by providing for continued congressional attention to the results. I believe that the enactment of the standards by itself will have a tremendous influence and that most states will seek earnestly to comply. If there are occasions in which flagrant refusal to comply is made manifest, the Congress has the power under the Constitution to take the matter in its own hands.

"In any case, it is important that the proper redistricting be done promptly. Redistricting should be completed not later than the spring of 1952 so that the congressional elections of that year may give fair representation to all citizens of our country.

HARRY S. TRUMAN

THE WHITEHOUSE, January 9, 1951.

DEPARTMENT OF COMMERCE
BUREAU OF THE CENSUS
Washington 25, D. C.

POPULATION OF THE UNITED STATES BY STATES, 1950, AND APPORTIONMENT OF REPRESENTATIVES IN CONGRESS, 1950 AND 1940

State	Population 1950	Present number of representatives	Apportionment of 435 representatives according to 1950 population		
			Number	Change from present number of representatives	
				Increase	Decrease
(1)	(2)	(3)	(4)	(5)	(6)
United States	150,697,361	435	435	14	14
Alabama	3,061,743	9	9		
Arizona	749,587	2	2		
Arkansas	1,909,511	7	6		1
California	10,586,223	23	30	7	
Colorado	1,325,089	4	4		
Connecticut	2,007,280	6	6		
Delaware	318,085	1	1		
District of Columbia	802,178				

POPULATION OF THE UNITED STATES BY STATES, 1950, AND APPORTIONMENT OF REPRESENTATIVES IN CONGRESS, 1950 AND 1940—Continued

State	Population 1950	Present number of representatives	Apportionment of 435 representatives according to 1950 population		
			Number	Change from present number of representatives	
				Increase	Decrease
(1)	(2)	(3)	(4)	(5)	(6)
Florida	2,771,305	6	8	2	
Georgia	3,444,578	10	10		
Idaho	588,637	2	2		
Illinois	8,712,176	26	25		1
Indiana	3,934,224	11	11		
Iowa	2,621,073	8	8		
Kansas	1,905,299	6	6		
Kentucky	2,944,806	9	8		1
Louisiana	2,683,516	8	8		
Maine	913,774	3	3		
Maryland	2,343,001	6	7	1	
Massachusetts	4,690,514	14	14		
Michigan	6,371,766	17	18	1	
Minnesota	2,982,483	9	9		
Mississippi	2,178,914	7	6		1
Missouri	3,954,653	13	11		2
Montana	591,024	2	2		
Nebraska	1,325,510	4	4		
Nevada	160,083	1	1		
New Hampshire	533,242	2	2		
New Jersey	4,835,329	14	14		
New Mexico	681,187	2	2		
New York	14,830,192	45	43		2
North Carolina	4,061,929	12	12		
North Dakota	619,636	2	2		
Ohio	7,946,627	23	23		
Oklahoma	2,233,351	8	6		2
Oregon	1,521,341	4	4		
Pennsylvania	10,498,012	33	30		3
Rhode Island	791,896	2	2		
South Carolina	2,117,027	6	6		
South Dakota	652,740	2	2		
Tennessee	3,291,718	10	9		1
Texas	7,711,194	21	22	1	
Utah	688,862	2	2		
Vermont	377,747	1	1		
Virginia	3,318,680	9	10	1	
Washington	2,378,963	6	7	1	
West Virginia	2,005,552	6	6		
Wisconsin	3,434,575	10	10		
Wyoming	290,529	1	1		

Legislative Counsel's Opinion, June 11, 1951.

Congress took no action on the President's message. At the expiration of the 15-day period, the Clerk of the U. S. House of Representatives notified Earl Warren, Governor of the State of California, that California would be entitled to elect seven new representatives in addition to the

23 which the State already has. The clerk's communication to the Governor was as follows:

"HOUSE OF REPRESENTATIVES
"OFFICE OF THE CLERK
"WASHINGTON, D. C.

"I, Ralph R. Roberts, Clerk of the House of Representatives of the United States, hereby certify, pursuant to Section 22, Subdivision (B), of the Act of the Congress of the United States of America entitled 'An Act to Provide for the Fifteenth and Subsequent Decennial Censuses and to Provide for Apportionment of Representatives in Congress,' approved June 18, 1929, as amended, that the State of

"CALIFORNIA

shall be entitled, in the Eighty-third Congress and in each Congress thereafter until the taking effect of a reapportionment under said Act, as amended, or subsequent statute, to

"THIRTY REPRESENTATIVES

in the House of Representatives of the Congress of the United States.

"IN WITNESS WHEREOF I hereto affix my name and the seal of the House of Representatives of the United States of America this seventeenth day of January, Anno Domini 1951, in the City of Washington, District of Columbia.

RALPH R. ROBERTS
(Signed) Clerk of the House of Representatives of the United States"

FEDERAL RESTRICTIONS ON CONGRESSIONAL DISTRICTING WITHIN THE STATES

The only federal restrictions on state legislatures in the congressional redistricting process apply when a state does not establish new congressional districts after a federal reapportionment. In the 1941 amendment to the Automatic Reapportionment Act of 1929 (Public Law No. 291, 77th Cong., 1st sess., approved November 15, 1941), Congress provided, if there is no change in a state's representation, then the districts may remain unchanged. If a state's representation has been increased, then the added representatives will be elected at large. If a state's representation has been decreased, one of the following three provisions would apply:

" * * * (3) If there is a decrease in the number of Representatives but the number of districts in such State is equal to such decreased number of Representatives, they shall be elected from the districts then prescribed by the law of such State; (4) If there is a decrease in the number of Representatives but the number of districts in such State is less than such number of Representatives, the number of Representatives by which such number of districts is exceeded shall be elected from the State at large and the other Representatives from the districts then prescribed by the law of such State; or (5) if there is a decrease in the number of Representatives and the number of districts in such State exceeds such decreased number of Representatives, they shall be elected from the State at large."

There is little question concerning the right of Congress to regulate the drawing of congressional district lines in the several states. Such authority has been determined to stem from Article I, Section 4, paragraph 1, of the Constitution of the United States which therein provides:

> "The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators."

In the past, Congress has seen fit to impose restrictions, other than those adopted in 1941. From 1842 to 1911 states having more than one congressman were required to elect their congressmen from districts. Such other provisions as "districts composed of contiguous and compact territory, and containing as nearly as practicable an equal number of inhabitants" were also on federal statute books from 1842 to 1929. The Automatic Reapportionment Act of 1929, however, neglected to mention any of the requirements previously used. No limitations on the states existed from 1929 to 1941.

Even when the restrictions against the states were a part of the law, Congress did nothing to enforce them. On a few occasions when efforts were made to prevent the seating of members from districts which in some manner violated federal requirements, the House refused to take note of the violation and seated the member in question. Those who have looked to the courts have fared little better. Courts have repeatedly washed their hands of such "political questions" as many aspects of the reapportionment process pose.

Thus, Congress has, as a matter of tradition, permitted the states to act insofar as redistricting of congressional boundaries is concerned and has, as a practical matter, restricted itself to the passage of standby legislation which was to take effect only in the event that the states failed to act.

Wide disparities may be seen in the manner in which the states have reapportioned congressional districts. The following table (prepared by Margaret Greenfield, *Legislative Reapportionment,* p. 10) summarizes some of the differences:

Congressional District Reapportionment Data

State	*Year of last redistricting*	*Maximum percent departure from average*	*1941 Population in district **		
			Average	*Largest*	*Smallest*
Ohio	1913	122 5	313,982	698,650	163,561
Maryland	1903	76.1	303,540	534,568	195,427
Texas	1932	73.2	305,468	528.961	230,010
Missouri	1933	73.0	291,128	503,738	214,759
Georgia	1931	56.1	312,372	487,552	235,420
Arkansas	1901	51.9	278,483	423,152	177,476
South Dakota	1931	51.1	321,480	485,829	157,132
Mississippi	1932	50.9	311,970	470,781	201,316
Indiana	1941	47.9	311,618	460,926	241,323
Pennsylvania	1943	47.2	300,005	441,518	212,979

For reference see page 6754.

Congressional District Reapportionment Data—Continued

State	Year of last redistricting	Maximum percent departure from average	1941 Population in district * Average	Largest	Smallest
Alabama	1931	46.1	314,783	459,930	251.757
Oklahoma	1913	42.7	292,054	416,863	189,547
Washington	1931	42.6	289,365	412,689	244,908
Florida	1943	40.9	316,236	439,895	186,831
Colorado	1921	38.5	280,824	322,412	172,847
California	1941	36.3	300,321	409,404	194,199
Michigan	1931	35.5	309,183	419,007	200,265
Tennessee	1941	33.4	291,584	388,938	225,918
Connecticut	1911	31.6	341,848	450,189	247,601
Kentucky	1934	30.8	316,180	413,690	225,426
Oregon	1941	30.3	272,421	355,099	210,991
Kansas	1941	27.4	300,171	382,546	249,574
Arizona	1948	25.4	249,630	313,068	186,193
Illinois	1948	25.3	303,740	380,545	262,441
Wisconsin	1932	24.8	313,759	391,467	263,088
New Jersey	1931	24.6	297,155	370,220	226,169
Iowa	1941	23.6	317,283	392,052	268,900
New York	1942	22.2	299,536	365,918	235,913
Virginia	1934	21.3	297,526	360,679	243,165
S. Carolina	1932	20.7	316,634	361,933	251,137
N. Carolina	1941	20.5	297,635	358,573	239,040
W. Virginia	1934	19.4	316,996	378,630	281,333
Louisiana	1912	18.7	295,485	333,295	240,166
Montana	1917	15.7	279,728	323,597	235,859

* The 1941 population data was taken from U S Bureau of Census, Sixteenth Census of the United States 1940, "Population of the United States by Congressional Districts" 1940 and 1930 (Series P-3, No 9, final figures, February 5, 1941)

Note that Ohio and Oklahoma have not redistricted since 1913, though the number of congressmen was changed for both in 1931 and 1941.[1] Connecticut's congressional districts date back to 1911; Maryland's, to 1902. Note also that all of the states listed above have a maximum variation in any district from the state average of over 15 percent. Four states, having more than one congressman, elect one or two congressmen at large.

Many have felt Congress should attempt to force the states to meet certain standards of uniformity in their congressional districts. In order to consider the question, and in response to requests for information on congressional reapportionment, James K. Pollock, President of the American Political Science Association, appointed a special committee to prepare recommendations on this subject. The committee met in Washington on December 2, 1950, to discuss the problem, and prepared a report which incorporated the following suggestions:

1. The size of the House of Representatives should not be changed;
2. There is no reason to change from the equal proportions mathematical formula presently in use to compute allocations of representative to the states;
3. All congressmen should be elected from districts, and not at large;

[1] Ohio is presently in the process of considering a congressional reapportionment.

4. Federal law should again include the "compact and contiguous" requirements for congressional districts, and also include population restrictions "to keep the deviation of any district from the average of all districts for the state within a limit of 10 percent; but in any event such deviation should not be permitted to exceed 15 percent;" and
5. The Congress should attempt to enforce such standards.

The committee felt that the incorporation of standards in federal law would generally result in their observance by state legislatures. To cope with the exceptions, the committee considered several alternative enforcement provisions. Following is the section of the report dealing with this matter:

[1] "* * * We rejected as undesirable several kinds of sanctions which have been proposed: (a) Any citizen might be given the right to question the districting inside his State, by a suit in a United States court. But the courts have shown great unwillingness to undertake the task of supervising Congressional districts, and might deny any constitutional power to do so. Even if they consented to do the job, we do not think that judges are well suited to weigh the political factors which inevitably affect districting. Finally, litigation might easily drag out for some years, whereas the new districts ought to be settled before the spring primaries in 1952. (b) A State which violated the standards of approximate equality laid down by Congress might be penalized by a refusal to seat its Representatives until this State made its districting conform to those standards and help new Congressional elections on that basis. This would probably make that State totally unrepresented in the House during one or more sessions of the Eighty-third Congress. Such a drastic punishment might be unconstitutional, and it was disapproved by the Committee. (c) The State might be required to elect all its Congressmen at large until it redistricted itself in accordance with the statutory standards. But the very same people who were responsible for the unequal districting might rejoice in having their Congressman elected at large, because their party would thus choose the entire representation from this State in the House. And in any event, the Committee considered this sanction to be wholly inconsistent with our condemnation of Congressmen at large (in the Third Conclusion).

"The only proper remedy for bad single-member districts is good single-member districts. The determination of approximately equal single-member districts is a political task, which ought to be performed by a legislative body. If the legislature of the State refuses to do the job, the only suitable alternative is for Congress to do it. Therefore, the Committee agreed that the task of supervising and correcting districting inside the State should be in the hands of Congress.

"This led to the formation of a detailed plan for the imposition of sanctions. Its main features are: First, the States should be required to do their own redistricting soon after Congress passes the Apportionment Act; this will give Congress ample time to consider

[1] Reprinted by permission *American Political Science Review.*

whether this action by the States complies with the statutory standards of approximate equality. Second, the President should transmit the results of State redistricting to Congress and to all the States, with information showing how any particular State has violated the statutory standards of approximate equality. Since the President's statement will appear in the press, unequal districting will be subjected to the powerful sanction of publicity. Third, Congress may then take such action as it deems proper. Congress may order the State to do the job over again. Or Congress may redistrict the State itself.

"In order to accomplish this plan, the Committee recommends a schedule of steps to be included in federal law as follows:

"(1) January 3, 1951 to January 10 (one week)—The President reports to Congress factual data furnished by the Bureau of the Census indicating the apportionment of Representatives among the several states under the 1950 census and according to the formula of "equal proportions."

"(2) January 10 to late January (15 calendar days)—Congress considers the President's report, and unless it enacts a different apportionment within fifteen calendar days, each state shall automatically be entitled to the number of Representatives indicated in the President's report to Congress. The Clerk of the House shall so apprise the executive of each State; and the President will transmit to the States the data concerning poulations supplied by the Bureau of the Census. The members of the Committee hope that, during the same period or very soon thereafter, Congress will enact legislation regulating districting inside the several States, substantially in accordance with the recommendations of this report.

"(3) Late January to late April (90 days)—A period of ninety days will then be allowed for the necessary redistricting in State legislatures In most states the legislatures will be regularly in session, and experience indicates that ninety days are a sufficient time for the enactment of the necessary redistricting laws.

"(4) Late April to late May (30 days)—The President, on the basis of objective data furnished by the Bureau of the Census about the populations of the Congressional districts newly established by the state legislatures, will report to Congress and to the States as to conformity to or violation of the standards regulating the size of a district.

"(5) After late May—Congress will take such action as it deems proper to correct unequal districting wherever it is shown by the President's report to exist.

The committee anticipates that it will seldom be necessary for Congress to redistrict a State. The possibility of such redistricting by Congress and the publicity given to grossly unequal State action will, we hope, be powerful incentives to make the States comply with the statutory standards.

"(6) The Committee discussed the problem of gerrymandering. It recognized that some gerrymandering is a serious evil, but decided against the recommendation of further sanctions at this time.

The members of the Committee share the hope that the re-establishment of the statutory standards of compactness and contiguity, and the publicity of the report to Congress on the action taken by state legislatures, will restrain those legislatures from seriously abusing the power to redistrict for purely partisan purposes.—*Committee on Reapportionment of Congress of the American Political Science Association, "The Reapportionment of Congress," "American Political Science Review," March 1951, pp. 153-7."*

President Truman's January 9, 1951, reapportionment message to Congress contained the principal recommendations of the American Political Science Association Committee. The President asked for single-member districts, composed of contiguous and compact territory and having as nearly as practicable the same population. He suggested that no congressional districts "should deviate upward or downward from the average population of all congressional districts within that state by more than a specified percentage." He further suggested that Congress should not merely be satisfied with enacting standards, but should also enforce them.

The President's recommendations were introduced in the House of Representatives by Congressman Emanuel Celler (D—N.Y.), Chairman of the Judiciary Committee. The Celler Bill [1] would set 15 percent as the "specified percentage" within which congressional districts could deviate from the average population of all congressional districts within a state. The Celler Bill was referred to the House Judiciary Committee. It is presently being studied by that committee.

As the interim committee has conducted its research projects and prepared and introduced its reapportionment bills, persons have suggested that research and action should wait until Congress had made up its mind about the Celler Bill. The interim committee could not agree, however. There was no assurance the Celler Bill would be passed or even seriously considered, and certainly no sure indication of when. The only federal restriction in force at the time the interim committee did its work, and the only restriction in force at the present time, is the provision cited in the first paragraph of this section.

[1] See appendix

CALIFORNIA RESTRICTIONS ON CONGRESSIONAL DISTRICTING WITHIN CALIFORNIA

The Constitution of California at Article IV, Section 27, places the following limitations on the Legislature when its redraws congressional district lines:

> "When a congressional district shall be composed of two or more counties, it shall not be separated by any county belonging to another district. No county, or city and county, shall be divided in forming a congressional district so as to attach one portion of a county, or city and county, to another county, or city and county, except in cases where one county, or city and county, has more population than the ratio required for one or more Congressmen; but the Legislature may divide any county, or city and county, into as many congressional districts as it may be entitled to by law. Any county, or city and county containing a population greater than the number required for one congressional district, shall be formed into one or more congressional districts, according to the population thereof, and any residue, after forming such district or districts, shall be attached, by compact adjoining assembly districts, to a contiguous county or counties, and form a congressional district. In dividing a county, or city and county, into congressional districts no assembly district shall be divided so as to form a part of more than one congressional district, and every such congressional district shall be composed of compact contiguous assembly districts."

The principal points of the above section may be summarized as follows:

1. Counties in a congressional district must be contiguous;
2. No county may be divided to make a congressional district unless it has more than the ratio of population required for one or more congressional districts; if it does have, then a residue assembly district may be attached to compact adjoining assembly districts in another county; and
3. Within a county, no assembly district may be divided to form a congressional district, and each congressional district must be composed of compact contiguous whole assembly districts.

Point number one needs no elaboration. The problem created by the first clause of the second point of the summary is well-illustrated in a statement on the Kings County Congressional District made by State Senator R. R. Cunningham, 27th Senatorial District of Kings County, at the Fresno hearing before the interim committee's subcommittee on February 23, 1951:

> "* * * there are four situations in which we could be involved. There is quite a spread. Some of them would be 206,000, one of them 246,000, one 422,000, and one 357,000. There is quite a spread. In the only logical place that we can be—that would be Kings, Tulare and Inyo [206,000], which we certainly don't like; there would be Kings, Tulare and San Luis Obispo [246,000] which we don't like very well; Tulare, Kings and Kern [422,000], which we

do like pretty well; and Fresno, Madera or Kern [357,000] which would be satisfactory from a congressional standpoint. Now just what that would be to us from an assembly district [standpoint], I don't know. But we are very hopeful that we can remain just as we are [Kings, Tulare and Kern]."

The third point of the summary tends to make it impossible to secure approximately equal in population congressional districts in counties with several congressmen. The Constitution of California requires the 80 assembly districts to be "as nearly equal in population as may be." (Article IV, Section 6.) Within counties, point three says assembly districts may not be divided in forming congressional districts. There are 80 assembly districts. There will be 30 congressional districts. When 80 is divided by 30 it becomes obvious that some congressional districts will have to be made up of two assembly districts and others of three. If each assembly district contained approximately 130,000 (population of California divided by 80), then the two-assembly-district congressional districts would contain 260,000, and the three-assembly-district congressional districts 390,000. The ideal congressional district (population of California divided by 30) should average about 350,000.

If no changes are made in the Constitution of California, point three will continue to create reapportionment difficulties. California received nine new congressional seats in 1931, three more in 1941, and seven in 1951. If California continues to grow at this pace, it is conceivable that sometime in the not too distant future, California may have 40 congressmen. Then each congressional district could be made up of two assembly districts. However, any number other than 40 presents some degree of the problem experienced in 1951 when 30 congressional seats had to be divided into 80 assembly districts. If California is allocated over 40 congressmen, the problem under point three would be to set up some one-assembly-district congressional districts and other two-assembly-district congressional districts. Whenever a one-assembly-district congressional district was set alongside a two-assembly-district congressional district, assuming the population of assembly districts to be about equal, there would be a surety of 100 percent difference in population between the two types of districts.

LEGAL BACKGROUND—STATE SENATORIAL AND ASSEMBLY DISTRICTS

Article IV, Section 6 of the Constitution of California relating to the formation of state senate and assembly districts reads as follows:

"For the purpose of choosing Members of the Legislature, the State shall be divided into 40 senatorial and 80 assembly districts to be called senatorial and assembly districts. Such districts shall be composed of contiguous territory, and assembly districts shall be as nearly equal in population as may be. Each senatorial district shall choose one Senator and each assembly district shall choose one Member of Assembly. The senatorial districts shall be numbered from 1 to 40, inclusive, in numerical order, and the assembly districts shall be numbered from 1 to 80 in the same order, commencing at the northern boundary of the State and ending at the southern boundary thereof. In the formation of assembly districts no county, or city and county, shall be divided, unless it contains sufficient population within itself to form two or more districts, and in the formation of senatorial districts no county, or city and county, shall be divided, nor shall a part of any county, or of any city and county, be united with any other county, or city and county, in forming any assembly or senatorial district The census taken under the direction of the Congress of the United States in the year 1920, and every 10 years thereafter, shall be the basis of fixing and adjusting the legislative districts, and the Legislature shall, at its first regular session following the adoption of this section and thereafter at the first regular session following each decennial federal census, adjust such districts, and reapportion the representation so as to preserve the assembly districts as nearly equal in population as may be; but in the formation of senatorial districts no county or city and county shall contain more than one senatorial district, and the counties of small population shall be grouped in districts of not to exceed three counties in any one senatorial district; provided, however, that should the Legislature at the first regular session following the adoption of this section or at the first regular session following any decennial federal census fail to reapportion the assembly and senatorial districts, a Reapportionment Commission, which is hereby created, consisting of the Lieutenant Governor, who shall be chairman, and the Attorney General, State Controller, Secretary of State and State Superintendent of Public Instruction, shall forthwith apportion such districts in accordance with the provisions of this section and such apportionment of said districts shall be immediately effective the same as if the act of said Reapportionment Commission were an act of the Legislature, subject, however, to the same provisions of referendum as apply to the acts of the Legislature.

"Each subsequent reapportionment shall carry out these provisions and shall be based upon the last preceding federal census. But in making such adjustments no persons who are not eligible to become citizens of the United States, under the naturalization laws, shall be counted as forming a part of the population of any district.

Until such districting as herein provided for shall be made, Senators and Assemblymen shall be elected by the districts according to the apportionment now provided for by law." (Amendment adopted November 3, 1942)

This section of the Constitution of California, from 1879 when it was adopted until 1926, stipulated that both Assembly and Senate be set up on the basis of population. Use of the county as the principal basis of representation in the Senate did not come until 1926 and the passage of the so-called "federal plan" amendment of that year.

The principal points of Article IV, Section 6 may be summarized as follows:

1. Both senate and assembly districts must be composed of contiguous territory;
2. No part of a county may be united with another county to form either senate or assembly districts;
3. No county may be divided to form assembly districts unless it contains enough population to form two or more districts within itself;
4. Assembly districts must be "as nearly equal in population as may be";
5. No county may be divided to form senate districts;
6. No county may contain more than one senate district;
7. Not more than three counties may be grouped in any one senate district; and
8. If the Legislature at the first regular session following a federal decennial census fails to reapportion assembly and senate districts, a Reapportionment Commission shall forthwith apportion such districts.

Point four instructs the Legislature to create assembly districts as nearly equal in population as possible. Points two and three provide no county may be divided unless it has enough population to warrant two or more assembly districts, and no part of a county may be joined with any other to form an assembly district. To a degree, points two and three tend to contradict point four.

The problem of what to do with Imperial County in the assembly district pattern is an example of the operation of points two and three. Imperial County, according to the final figures of the 1950 census, has a population of 62,975. That population entitles it to only 0.48 of an Assemblyman. San Diego County, to the west, is entitled to 4.21 Assemblymen, yet the 0.21 residue cannot be joined with Imperial. Riverside County, to the north, is entitled to 1.29 Assemblymen, yet neither can the 0.29 residue be applied to Imperial County's 0.48 plus San Diego's 0.21 residue. Arizona bounds Imperial on the east, and Mexico on the south The only alternatives for an assembly district for Imperial County would be either to join it to Riverside County to create a single assembly district of both counties, or to give it its own Assemblyman. Riverside County can point to its 1.29 entitlement and suggest how grossly unfair it would be to combine it with Imperial's 0.48. Imperial County has had

and will continue to have, at least for the next 10 years, one whole Assemblyman to itself.

In no county does the assembly district entitlement, based on population, coincide exactly with the number of assemblymen assigned to the county. Monterey County with its 0.99 entitlement is the closest. Imperial County with its 0.48 entitlement (0.52 under) and San Joaquin County with its 1.52 entitlement (0.52 over) are two counties, both with one assemblyman, farthest away from the ideal. Pending a revision of the Constitution of California, such inequalities must of necessity exist.

While the county is a secondary consideration in assembly district reapportionment, it is the primary factor in state senate districts reapportionment. No senatorial district changes in 1951 were required by the constitution, however, minor adjustments affecting four districts were made.

HISTORICAL BACKGROUND OF REAPPORTIONMENT IN CALIFORNIA

A better appreciation of the reapportionment problem may be gained from viewing the historical development of the process in California. This phase of California political history may be divided into two distinct periods: first, Pre-1910; and second, Post-1910. The event of 1910 which officially signified a turning point was the publication of the results of the 1910 census by the U. S. Bureau of the Census.

PRE-1910

Reapportionment of congressional and state legislative seats during this period was not a particularly controversial matter. The balance of power between sections of the State was not significantly different from one set of district patterns to another each successive ten years because the increase in population was relatively uniform throughout the State. Neither was conflict between Democratic and Republican parties very sharp.

Northern California had been the first section of the State to be developed. It had the population and the economic balance of power. It exercised political control. Population and economic developments in Southern California were not significant enough to threaten the control of the North—prior to 1910.

The challenge of Southern California may be spelled out in such terms as railroads, irrigation, water, Chambers of Commerce, and the desire of more and more people to live in this section. Population growth was accompanied by economic growth. Los Angeles gradually grew up from "Queen of the Cow Counties" to become "Queen of the Urban Counties"—the biggest of them all.

The San Francisco area in the 1880's had 27 percent of the State's population; Los Angeles, only 4 percent. By 1910 the picture had changed. Los Angeles had 21 percent of the population; San Francisco, 17 percent. Los Angeles went to the 1911 session of the Legislature asking for assemblymen and state senators commensurate with its population.

The San Francisco-Los Angeles population balance was not the only new reapportionment factor in the 1911 Session. By this time, the flow of population to urban areas had become evident. By 1910 the counties of San Francisco, Los Angeles and Alameda accounted for 49 percent of the State's population. The trend would go further. The rural counties found themselves faced with the question of whether they should or should not release their balance of political power in the Legislature to the cities.

The issue involved even more. Inland cities were contesting with coastal cities for first rank as commercial and wholesale distribution centers. Also active in the dispute were the rural lumbering, farming and mining interests. There was the controversy of "county versus city" over moral and social issues. To these attitudes could be added personal and political party interests. These were some of the factors that tended to make the post-1910 period considerably more controversial than had been its predecessor.

POST-1910

The Reapportionment of 1911

Hiram Johnson and his Progressive Republicans were elected to office in 1910. The 1911 Regular Session of the Legislature was so busy passing reform legislation it did not get to the job of reapportionment. That was one of the reasons why a special session was called for later in the year. That did not mean, however, that reapportionment was not an issue in the 1911 Regular Session. It was. As long as new congressional, assembly and senate district boundary lines were unsettled, the location of these boundaries could be and was used as a trading device on other legislation.

It appears that the Los Angeles delegation, in order to secure passage of the Tideland Bill, made a trade with San Francisco. The conditions of the agreement had San Francisco supporting Los Angeles on the Tideland Bill. Los Angeles, in turn, was to support San Francisco's claim that the latter should not lose legislative seats in the reapportionment. The Tideland Bill was passed, and with the help of San Francisco.

Rural legislators resented the "big-city agreement." Positions on such issues as race track gambling and local liquor control tended to further widen the country-city split. Determined to stop the big city agreement on reapportionment, rural legislators met in Fresno before the special session and drafted a reapportionment plan of their own. The country plan would deprive the metropolitan areas of two senators and four assemblymen to which they were entitled on the basis of population. Assemblyman Randall, Los Angeles, introduced the rural plan in the Assembly.

The Randall Bill passed the Assembly despite the fact that the delegations from metropolitan areas, with the exception of Randall, held firm in their opposition. In the Senate, the big city plan was successful. Deadlock resulted, and might have continued indefinitely if parts of the Los Angeles delegation hadn't deflected from the metropolitan bloc. Los Angeles stood to gain some representation regardless of which plan became law, and it appeared that San Francisco would be the only section to gain by prolonged stalemate. The Randall Bill finally passed the Assembly 47 to 27, and the Senate 22 to 17.

Although the major controversy centered on the question of small county versus big county representation, some medium sized counties found themselves either on the long or short end of population entitlements. Sacramento and San Diego found themselves underrepresented in the arrangements of the Randall Bill; such counties as Santa Clara and Fresno, overrepresented.

Congressional reapportionment was not as important an issue in 1911. The principal dispute on congressional representation revolved around the question of whether population alone or a combination of population and regional factors would be used as the yardstick in outlining the districts. The latter was followed. The 11 districts created conformed to the following regions: first, North Coast and Sacramento Valley; second, Mountain; third, Bay and Deep Water Tributaries; fourth, and fifth, San Francisco; sixth, Alameda; seventh, San Joaquin Valley; eighth, South Coast; ninth and tenth, Los Angeles County; and eleventh, Southern California.

Failure to Reapportion in 1921, 1923 and 1925

The pressures that made the 1911 reapportionment highly controversial—the shift of people and wealth from North to South, and from county to city—continued with greater force from 1911 to 1921. Not only did the influence of Los Angeles and San Francisco reach out through such facilities as transport, marketing systems, etc., to place the big city at the center in influence of an area, but the trend appeared in counties not previously thought of as urban—counties like San Diego, Sacramento, San Joaquin, Fresno and Santa Clara. Rural legislators found themselves concerned, not only with the biggest cities, but also with the in-between cities. The job of keeping political control out of the hands of the "city bosses" was becoming increasingly difficult.

The Legislature failed to take reapportionment action in the 1921, 1923 and 1925 Sessions. Proposals that both houses should be apportioned on a population basis, as called for in the Constitution, failed of passage. So also did numerous proposals to limit the number of senators to be allocated to each of the urban counties. The cities favored the former; the country, the latter.

Rural proposals may be summarized as follows: first, bills to limit Los Angeles, San Francisco, and Alameda counties to such limits as 10 assemblymen each; second, bills to divide representation in the Senate on a "$\frac{3}{8}$-$\frac{5}{8}$ plan" which would give the metropolitan counties 15 senators and the remaining counties 25 senators; third, bills to divide senate representation on other formulas such as 11 urban-29 rural or 13 urban-27 rural; fourth, a "federal plan" with the representation of the Assembly based on population and the respresentation of the Senate on counties; fifth, classification of counties into several categories and establishment of a quota of senators per county from each of the classifications (this would have restricted not only the large metropolitan counties, but also some of the medium sized counties); and sixth, bills which, in addition to limiting the number of senators from the large metropolitan counties, also provided that of the number of senators assigned to such a county a certain portion had to come from districts in the rural sections of those counties.

The sectional conflict seemed to reach a peak in the 1925 Session when the Legislature failed to approve two measures regarded as vital to further development of Southern California: first, a bill dealing with the organization of a metropolitan water district; and second, a favorable allocation of moneys for highway purposes to the South. At this point, feeling became so bitter many seriously speculated on the desirability of a division of the State into a Northern California and a Southern California.

The Federal Plan of 1926

Only two alternatives seemed to be available after the 1925 Session: first, to wait for unlikely legislative action in the face of further hardening of battle lines between rural and urban groups; and second, to attempt to force action by direct popular participation through the use of the initiative provisions of the Constitution of California.

After the 1925 Session, an All-Parties Reapportionment Committee was organized in Los Angeles. Its proposal, which secured enough signatures to be placed on the ballot for the November, 1926, election, set

population as the sole basis for redistricting both houses of the California Legislature. In opposition, a California Farm Bureau Federation group was organized. Its "federal plan" based representation in the Assembly on population, and in the Senate, limited each county to no more than one senator. It also secured the necessary signatures, and was placed on the November, 1926, ballot.

The principal arguments against the "federal plan" were based on the idea that representation had to be based on population or it would not be democratic representation. Those in favor of the "federal plan" argued it would achieve a proper balance between agrarian, mining and forestry interests in the Senate, and industrial, urban and related interests in the Assembly. They also argued that metropolitan control of the Legislature would mean control of the State by city political bosses.

The voters indorsed the "federal plan" by a substantial margin, and decisively defeated the "population" measure. Los Angeles County was the only county in which the Farm Bureau measure did not receive a majority.

The Reapportionment of 1927

Although many were dissatisfied with the "federal plan," the Legislature reapportioned assembly and senate districts during the 1927 Session—the first reapportionment since 1911. Population was the rule in the Assembly; counties, in the Senate.

The 1927 Session passed items of legislation specially desired by Southern California, namely bills on state highway finance and allocation of expenditures, a bill for the organization of the metropolitan water district and for construction of additional water facilities, and a bill for the submission of a million dollar bond issue to support the Olympic Games to be held in Los Angeles in 1932.

Alameda and San Francisco groups sought to prevent the reapportionment of 1927 from going into effect. They organized a movement for referendum, obtained enough signatures, and began a campaign. The arguments of the 1926 campaign were repeated. Yet, in the general election of November, 1928, the proponents of the "federal plan" received an even wider margin than they got in 1926.

A determined group from the All-Parties Reapportionment Committee began a new fight to nullify the "federal plan" with a system of representation under which all cities of 250,000 or more would be limited to a combined representation in both houses of the Legislature of not to exceed two-fifths of the total membership. The plans of this group did not meet with a generally favorable response, and it got no further. The Legislature of 1931 was the first elected under the "federal plan."

The Reapportionment of 1931

With the Senate largely removed as a reapportionment issue and only minor adjustments required in assembly representation, the congressional problem was the most important in 1931. Congress had failed to reapportion congressional seats in 1921. By 1931 when Congress did reapportion, California was entitled to, and received nine new seats.

The issue of the speakership of the Assembly became involved in the 1931 reapportionment fight. The two contenders for the Speakership, Assemblyman Walter J. Little of Los Angeles and Assemblyman Levey

of San Francisco, were both thought to be pledged to support an apportionment based on population. Levey won on a 41 to 39 vote, and it soon appeared he favored a plan which modified a strict population test to somewhat favor San Francisco at the expense of Los Angeles and the San Joaquin Valley.

The program of the Levey forces was presented in the Assembly in the Craig Bill. It gave Los Angeles County seven congressional districts instead of the eight to which population entitled it, and 31 assembly districts instead of the 30 to which it was entitled. San Joaquin Valley, under the Craig Bill, would receive 1½ of a congressional district, including San Joaquin County. Senator J. W. McKinley of Los Angeles was the author of a proposal representing a more strictly population standard. His bill gave Southern California eight congressmen, and the San Joaquin Valley 1½, excluding San Joaquin County. Northern California got one. Nine assembly seats held by the North were transferred to the South, Los Angeles gained eight; San Francisco lost three.

The McKinley Bill passed the Senate; the Craig Bill, the Assembly. When the Senate got the Craig Bill, it amended it by substituting the provisions of the McKinley Bill. When the Assembly got the McKinley Bill, it amended it by substituting the provisions of the Craig Bill. In an attempt to break the ensuing stalemate, the Levey group introduced a substitute (the Israel Bill) through which they hoped to obtain San Joaquin Valley support for the northern groups. Southern Legislators, however, working closely with the San Joaquin Valley delegation held their lines. After many parliamentary battles, endless negotiations, intrigue and counter-intrigue, the Southern forces demonstrated their strength in the Assembly by passing the McKinley congressional and assembly bills by a vote of 46 to 31 With 42 assembly votes south of the Tehachapi, Southern California for the first time held the assembly balance of power.

Northern groups, especially San Francisco, indicated they would launch a referendum campaign. This movement, however, did not gain the necessary support and it never found its way to the ballot.

The Reapportionment of 1941

Reapportionment in 1941 was much less controversial. The issue of whether to allow an assembly balance of power to shift to counties south of the Tehachapis had largely been settled in 1931. For the first time the Assembly Elections and Reapportionment Committee was controlled by Democrats. Both San Francisco versus Southern California and partisan differences played a part in the process.

The reapportionment bill as originally reported out by the Elections and Reapportionment Committee took two assembly seats from San Francisco and one from Alameda County, and gave two to Los Angeles County and one to Kern County. In the Senate, the bill was changed to cut San Francisco only one seat, and to deprive Kern County of what would have been its second seat. The three new congressional seats were distributed as follows: one to the Central Valley area, and two to Southern California. Of the latter, one went to make up the present 21st Congressional District consisting of the Forty-first Assembly District in Los Angeles County and the two San Bernardino assembly districts, and the other went wholly to Los Angeles County.

FACTORS IN REAPPORTIONMENT IN CALIFORNIA IN 1951, AND METHODS IN ANALYZING THOSE FACTORS

As constituted, the Interim Committee on Elections and Reapportionment did not have any members who had participated in former reapportionment hearings. The advice and assistance of former members of the Legislature who had taken part in earlier reapportionments was solicited and the conversations with these individuals were of positive value. No documentary materials or records from previous sessions, however, were to be found.

Several books and articles on the general subject of reapportionment in California were available. *Population and Politics—a study of the effect of the 1951 reapportionment on the United States and California,* prepared by San Jule & Stofle and Hal Dunleavy & Associates (San Francisco: February, 1950) was of help with its broad information on the federal and state legal backgrounds, its stating of the problems involved, and its excellent statistical tables based on estimates of 1950 population. Margaret Greenfield's *Legislative Reapportionment* (Berkeley, Bureau of Public Administration of the University of California, March, 1951) was similarly useful with its background and statistical data, and its comparative studies of the question of reapportionment in other states.

George W. Bemis, *Sectionalism and Representation in the California State Legislature, 1911-1931* (unpublished Ph.D. thesis, University of California, Berkeley, 1934) is the most comprehensive study of sectional influences on the reapportionment process. Franklin Hichborn's *Story of the California Legislature of 1911* (San Francisco, James H. Barry Company, 1911), and his *Story of the California Legislature of 1921* (same publisher, 1921) are useful for history of reapportionment in those years.

Winston W. Crouch and Dean E. McHenry, *California Government* (Los Angeles, University of California Press, 1949) and articles by Thomas Barclay of Stanford University and McHenry of UCLA were also of use in showing political implications of the reapportionments and the major issues involved. This report acknowledges its indebtedness to all of these sources.

Nowhere in the California literature was the interim committee able to find statements or documentary material which dealt with the actual techniques or the step by step process of research which should be followed in order that members of the interim committee and Legislature should have at their disposal information on which to base reapportionment decisions. Studies were made of the reapportionment literature of other states. The situation was mostly the same. General information was available; specific technique statements of how to go about the job were not. It was necessary, therefore, to follow a qualified empirical approach—experimenting as the project went along.

To the end that the full value of this work from the point of view of the political scientist might be exploited and preserved and to assist the committee in doing the best possible work, Dr. Ivan Hinderaker, Associate Professor of Political Science at the University of California at Los Angeles, kindly consented to work as consultant for the committee

without remuneration. The committee is greatly indebted to him for his advice and efforts.

The office of the Legislative Counsel furnished the services of Mr. Robert Hinshaw, who worked with the committee throughout the interim period and during the 1951 Regular Session. Extensive use was made of his most valuable services, and the various Legislative Counsel Opinions wherein he advised the committee as to the law involved are incorporated in the appendix of this report in their entirety. They constitute an essential and most valuable source of information on the subject.

POPULATION FACTORS

The basic purpose of reapportionment of legislative districts is to redraw districts so they conform to the population trends of the period since the last reapportionment. Congressional seats are reapportioned to the states on the basis of population. There is no population requirement, however, in federal law relating to congressional districts in the states. Article IV, Section 6 of the California Constitution provides that assembly districts (except for the limitations of county lines) be "as nearly equal in population as may be;" and Article IV, Section 27 provides that congressional districts (except for county line and assembly district limitations) have population as their base consideration.[1] The first concern of the committee, therefore, was to secure as quickly and accurately as possible the population for California, its counties, and the smallest units possible within counties having or being entitled to more than one assemblyman.

Although the federal census is taken every 10 years and is theoretically supposed to be available to legislatures for reapportioning by January of the following year, it takes about one full year after the enumeration (April in 1950) before final detailed figures are released The Constitution of California asks the Legislature to use the federal census data, and at the same time to complete reapportionment of assembly and senatorial districts during the first regular session after the federal census has been taken.[2] Regular sessions are now limited to 120 days.

It had been felt that census figures for 1940 arrived so late in 1941 that the Legislature did not have enough time to plan for the reapportionment job. To prevent, if possible, a repetition of that situation, the chairman of the interim committee first wrote the U. S. Bureau of the Census on September 28, 1949, requesting information as to when and in what form preliminary and final census figures for the 1950 census would be available. In its reply of October 7, 1949, the Bureau of the Census stated it could make no definite prediction, but hoped the results would be available soon after January 1, 1951. In a letter of November 27, 1950, the Bureau of the Census found it necessary to revise the earlier estimate to late in the spring of 1951, but suggested that the anticipated change between preliminary and final figures would be very slight.[3] Preliminary counts of the population of California counties were made available in a Census Bureau press release of September 28, 1950 (Series PC-2, No 48). In a letter to Congressman Cecil R. King on February 12, 1951, Roy V.

[1] Legislative Counsel Opinion, January 4, 1950.
[2] Legislative Counsel Opinion, March 7, 1951
[3] Legislative Counsel Opinion, March 12, 1951.

Peel, Director of the Bureau of the Census, made the following certification of validity of these preliminary figures:

> "I HEREBY CERTIFY, That the final count of the returns of the Seventeenth Census of the United States, taken as of April 1, 1950, will show the population of each of the counties in the State of California, with the exception of the Counties of Alpine, Inyo, Mariposa, Mono, Nevada, San Diego, San Francisco, Sierra, and Solano, to be within two percent of the preliminary population figures shown in the attached press release, Series PC-2, No. 48 entitled '1950 Census of Population, Preliminary Counts, Population of California, by Counties, April 1, 1950.' The final population of the nine counties named above will be within two percent of the following revised preliminary figures: Alpine, 241; Inyo, 11,658; Mariposa, 5,145; Mono, 2,115; Nevada, 19,888; San Diego, 556,808; San Francisco, 775,357; Sierra, 2,410; Solano, 104,833."

Because of the 120-day limit on the time which the Legislature had for assembly reapportionment action, and because of Bureau of the Census assurances that final figures would be very close to the preliminary figures, the 1950 preliminary figures for counties were used as the basis for computing assembly and congressional district entitlements of each of the counties of California [4] These county entitlement computations, classified by such categories as metropolitan-rural, north-central-south, north coast-central mountain-Sacramento Valley-etc, went through several editions. The final one, using final population figures by counties as published in a Bureau of the Census press release dated March 30, 1951 (Series PC-8, No 4A), is reprinted in appendix.

Preliminary population figures were also available for some political subdivisions other than counties. The September 28, 1950, press release of the Bureau of the Census, in addition to county totals, contained the population of each incorporated place of 1,000 or more persons. Another release, dated November 5, 1950 (Series PC-3, No. 2) gave Population of Congressional Districts; April 1, 1950. Still another, dated November 21, 1950, (Series PC-3, No. 5) gave population of cities of 100,000 or more by wards, April 1, 1950. The only data of use in the latter was the population, by Assembly District, for San Francisco.

It was necessary to obtain population data on much smaller units to redraw assembly district lines in the large metropolitan areas. This was especially true of Los Angeles County where there had been a marked shift of population from the center of Los Angeles City out into suburban areas.

In an attempt to develop population estimates by precinct for Los Angeles County to be used in preliminary planning, conferences were held with C. E. Arnold, County Engineer, and members of his staff; John R. Commons, Regional Planning Commissioner; and Benjamin Hite, Registrar of Voters. Using total voter registration data published by the Registrar of Voters and population estimates published by the Los Angeles Regional Planning Commission, the county engineer's office prepared a map showing statistical areas for Los Angeles County and the

[4] Legislative Counsel Opinion, March 12, 1951.

ratio factor by which voter registration should be multiplied to arrive at an estimated population for each precinct in that statistical area Factors might vary for each statistical area of the county. The factors were determined by totaling the registered voters, as of November 1, 1950, in each statistical area, and dividing each of the totals into the corresponding population estimate for the area, as of October, 1950. Staff members were then assigned to multiply the voter registration for each precinct by the ratio for the area in which the precinct was located to arrive at a population estimate for each precinct.

Attempts were being made to obtain similar estimates from the other metropolitan areas of the State when the Bureau of the Census announced on December 20, 1950, that "Unpublished Preliminary Counts of the Population by Census Tracts: 1950" would be available at the cost of having them prepared. Local planning commissions, reapportionment committees, etc., obtained population data by census tract for their area, and used the information as the basis of planning their recommendations. The Interim Committee proceeded to obtain the preliminary figures by census tract for Los Angeles (city and environs), Oakland (city and environs), San Diego (city and environs), and San Francisco (city only); and the figures for townships and incorporated places of less than 1,000 were also obtained.

With census tract data available, population calculation procedure is relatively simple. Copies of census tract maps were obtained. The population figures for each tract can be written inside the boundaries of each census tract. The tentative new representative district lines can be placed on the population map with masking tape. To obtain the population of each district, then, it is only necessary to add up the total population for all complete census tracts in the proposed district and make estimates of the percentage of population included for those tracts on the edge that are split into one or more districts. As the tentative boundaries are changed, masking tape lines may be moved, and the new estimated population total calculated.

GENERAL STATEMENT OF CONSIDERATIONS OTHER THAN POPULATION THAT OPERATE IN THE REAPPORTIONMENT PROCESS

Although population is the most important factor in reapportionment, it is not the only one. The Chairman of the Interim Committee received the following piece of advice in a letter from a citizen of the City of Los Angeles:

> "Put the political Science Professor which you have appointed, into an office, put a 'Do Not Disturb' sign on the door and disconnect the phone. Equip him with the 1950 Census results, a map and a pencil. Have him start by dividing the State's population by 30. Then let him figure out Congressional Districts which are as nearly equal in population as it is humanly possible. Then fight for this fair plan and to Hell with local politicians!"

The reapportionment process is not quite that simple.

Population cannot be the *only* consideration. Assume, for example, that one started at the top of the State with the intention of setting up

a pattern of districts based solely on the population factor. Would he count all the population down the whole width of the State until he had enough for one district? To do so would disregard the *geographic* facts of coastal, valley and mountain counties. To do so would disregard such *socio-economic* factors as the difference between the interests of coastal versus inland valley communities, farm versus metropolitan communities, north versus south, desert versus non-desert agriculture, etc. To do so would disregard the *desires of the people* living in the different communities as to what kind of a district they would prefer to be a part of. To do so would disregard the *desires of the elected Congressmen* from those areas, and the *elected State Senators and Assemblymen* who have to agree on and pass out a reapportionment bill before it can become law. To do so would disregard *political party desires,* a factor that is always present in some degree in drawing of representative district lines. To do so would disregard the *legal restrictions* of the Constitution of California as they apply to counties in making up assembly districts, and to counties and assembly districts in making up congressional districts.

The geographic—the socio-economic—the desires of the people—the desires of the elected officeholders—the desires of political parties—all these can and do legitimately operate not only within the framework of the "relatively equal in population districts" factor, but also within the factors of contiguity and compactness. The county and Assembly line legal restrictions operate outside the framework of theoretically "equal in population districts." All the factors might conceivably have the same weight in one situation; in another, some factors might be considerably more important than others in making the final determination.

The interim committee made an attempt to consider all these factors, to analyze them within the limits of budget and staff, and to hear from as many persons and organizations as possible in the process of evaluating them.

GEOGRAPHIC FACTORS

In speaking of the First Congressional District as it existed from 1941 to the present, Leonard A Thomas, Chairman of the Marin County Democratic Central Committee made the following observation in a letter to the interim committee: "The present First District would appear to be a group of counties, with heterogeneous interests, combined only for the purpose of the necessary population for a congressional district" The district of which Mr Thomas spoke included the five North Coast counties of Del Norte, Humboldt, Mendocino, Sonoma, Marin and Lake, and the five "floor of the valley" counties of Glenn, Colusa, Butte, Yuba and Sutter.

How could geographically homogeneous districts be created? Part of the answer and an appreciation of the problem may be obtained from the following study of the geography of the State of California by Ruth E Baugh. Although geographic factors can no more stand alone than population factors, the geographic view of the State is an essential supplement to the population and other data which go into reapportionment

decisions. The article which follows is reprinted with the permission of Miss Baugh and *Education* magazine:

CALIFORNIA: A TYPE STUDY OF A STATE

By RUTH E. BAUGH
University of California, Los Angeles, California

In a popular sense, California represents different things to different people: Some visualize mountains like the High Sierra, others plains, as typified by the Sacramento Valley; some a vast forested area such as the Redwood Coast, others the California desert exemplified by Death Valley or the Colorado Desert. Such divergencies of concept are not unexpected, for there are, in truth, many Californias, and each has a marked individuality imparted by its distinctive geographical conditions.

The State of California lends itself admirably to the regional approach. Its landscape forms are prominent and greatly varied, and its culture runs the gamut from primitive to complex urban development It is a large state (158,000 square miles), second only to Texas in area The latitude (32 to 42 degrees north) encompasses a wide range, and in combination with great altitude differences, produces many climatic types.

Certain major land forms create six distinctive regions of California. The *Great Valley* occupies one-half the length of the State. To the east rises the *Sierra Nevada*, and to the west lie the *California Coast Ranges* The southern extension of the coast ranges together with coastal zones are known as *Southern California Northern California* consists of the Klamath Mountains on the west and the Volcanic Plateau in the east. Eastern and southeastern California is the *Desert Region*.[1]

The Coast Ranges

When permanent settlements were established, beginning in 1769, favorable sites along the shore and in coastal valleys became centers of the earliest European-derived culture. The architecture of mission, home, and public building, constructed before the American occupation, reflects Spanish origins Even in twentieth century California the Spanish flavor, particularly in the coastal region, is apparent Two other features distinguish this province: the localization in its ports of far-reaching commercial activities, and the development in close proximity to the coast of the State's largest centers of population.

The coast ranges are characterized by long parallel ranges and intervening valleys, aligned in a north west-southeast direction. The mountains are not high, averaging only 2,000 to 4,000 feet, although at the northern end a few peaks rise to 8,000 feet The valleys are long and narrow and terminate at the coast in bays or alluvial plains.

The Santa Clara Valley is located south of San Francisco Bay and is a veritable garden spot, famous for apricots, prunes, wine grapes, and vegetables which are sold fresh, dried, bottled, and canned in the markets of the United States. The Salinas Valley also produces a variety of products in the long valley stretching from Santa Margarita in the dry southern half where stock raising takes the lead, to dairy products and summer lettuce localized in the cool foggy plain near Monterey Bay

North of San Francisco Bay, the Russian River valley opens southward, while the Eel River widens northwestward. Together they form a long groove utilized by highway and railroad from San Francisco Bay to Humboldt Bay The Redwood Highway cuts through magnificent stands of redwood trees along the Eel River, and the northward stretch between Eureka and Crescent City. Heavy winter rains and summer fogs favor forests This resource supports the lumber industry which here attains more than local importance.

Moreover, the great natural beauty of forest and coast and the mild pleasant climate are contributing to a substantial tourist industry. The fish caught in and near Humboldt Bay, dairy products, flowers, and bulbs find a ready market in San Francisco and Oakland Other than the processing of forest products, manufacturing is small.

The population of the coast ranges is sparse and is noticeably concentrated in the valleys near highways. The bordering ranges are steep-sloped and often rugged Inaccessibility produces isolation, and they are shunned except where mineral wealth occurs, which consists chiefly of quicksilver and petroleum.

[1] The reader will add to his understanding of this geographical description if he will provide himself with a map of California or western United States, preferably one showing land forms (relief).

The coast proper where mountains meet the sea, is generally steep and inhospitable. There are few plains immediately adjacent to the sea large enough to support more than fishing villages or lumber ports Three bays—Humboldt, San Francisco, and Monterey—and their narrow plains are the only considerable centers of population in the northern and central coast ranges Monterey was the most important city in California from 1770 until 1849. Today it lies off the beaten track of the major transit lines. It is, however, a charming city. The attractiveness of nearby Carmel and Santa Cruz mountains give the whole area a large tourist trade Otherwise the economy is based on a considerable fishing industry, and on farming and dairying.

The metropolitan area on San Francisco Bay is second in population of Pacific Coast cities Geographic and historical factors have played a part in its growth. One of the earliest settlements established on the California Coast, San Francisco experienced a great impetus during Gold Rush days. Its geographical location at the outlet of the Great Valley and on one of the world's finest natural harbors have given it a dominant position, particularly in Pacific Basin trade. Its picturesque situation and the many points of interest in the vicinity of the bay make it one of America's most colorful cities.

The Sierra Nevada

The Sierra Nevada is essentially a primitive region It contains scarcely 3 percent of the State's population and no real cities The great elevation of its crest creates a barrier which limits travel across the range. And yet this region was the magnet that drew people from the four courners of the world in the rush to California in 1849, a movement which ushered in the Americanization of the State.

The Sierra Nevada is a great mountain 400 miles long, extending from the Volcanic Plateau in the vicinity of Feather River southward to Tehachapi Pass The uplift and tilting to the west of a huge block of the earth's crust produced a long gradual slope to westward and an almost vertical drop facing the Desert Region on the east. From Lake Tahoe (6,242 feet) southward the altitude steadily increases to Mount Whitney (14,495 feet), then lowers as it approaches the south end of the range.

Although a single mountain block, the Sierra is intricately dissected by powerful rivers Awe-inspiring canyons have been carved into the granite block by the American, Tuolumne, Merced, Kings, and Kern Rivers, to name only a few Mountain glaciation has produced bold, impressive landscapes: deep U-shaped canyons and leaping waterfalls, ampitheater-like cirques near the mountain crest, the work of ice also contributed to the formation of lakes and meadows.

An extensive forest about halfway up the west slope is an added feature to the attractiveness of the Sierra The massiveness of the range and great difference in elevation from the dry foothill zone to exposed alpine heights creates a belted arrangement of vegetation types ranging from scattered shrubs near the Great Valley floor, through forests to a zone of stunted windblown trees near the upper tree line, beyond which plant life cannot survive.

The main timber belt of sugar and ponderosa pine, fir and incense cedar has a well-developed lumber industry, increasing in output from Yosemite to the latitude of Lassen Peak and Mount Shasta in Northern California In isolated groves at altitudes of 4,000 to 7,000 feet grows the *Sequoia gigantea*, the big tree, monarch of the earth's flora. In the sublime natural setting of the western Sierra, three national parks, Yosemite, Sequoia, and Kings Canyon, are centers of recreation And beyond the confines of federally operated parks both slopes of the Sierra Nevada have hundreds of summer camps along good fishing streams, around the countless lakes and meadows. Recently the popularity of winter skiing has brought into prominence such accessible mountain areas as Donner Summit and Badger Pass. Recreation, unquestionably, is the most widespread of the Sierra's organized activities.

Water is its greatest resource. Copious precipitation as rain and heavy snow in the central and northern Sierra feed countless streams. West-slope rivers supply the thirsty farmlands of the Great Valley. The largest cities of the state draw Sierran water through long aqueducts to metropolitan centers. Water from the Tuolumne River supplies San Francisco; the Mokelumne serves the East Bay area, while Owens River, an east-slope stream, fills the Los Angeles aqueduct. The generation of hydroelectric power for use on farms and by municipalities in California is of the greatest significance economically.

Although gold mining was the industry which first brought the Sierra Nevada into prominence and attracted a large population, it is today a minor industry. The placer mining of "the days of '49" has been superseded by large scale deep or shaft mining centered in towns like Jackson and Grass Valley. Gold production has declined, but the glamour of the old days lingers in the foothill belt of the Mother Lode country

where picturesque hamlets, some thriving, others decadent or in ruins, recall the lively days of California's Gold Rush.

The Great Valley

No greater regional contrasts can be found in California than those existing between Sierra Nevada and Great Valley. Striking as are contrasts in elevation, slope and surface expression, climate and natural vegetation, the cultural differences are even more pronounced. The economic development of the Great Valley is the story of agriculture, crops, farm labor, and water problems, of the rise and growth of market towns and cities.

The Great Valley is a level plain 400 miles long occupying the depression between uplifted Sierra Nevada and coast ranges. It is one of the world's notable plains and contains 12,000,000 acres. A pair of rivers, the Sacramento and San Joaquin, drain the lowland from north and south, respectively. They join in the common delta and flow to San Francisco Bay through the only sea-level break in the coast ranges, Carquinez Strait A third division, Tulare Basin, lies in the extreme south end of this vast lowland.

Geographical conditions favor agriculture. Soils are deep and highly varied, ranging from coarse sandy types near the mountains to dark rich peat in the delta. Winters are cool with occasional subfreezing temperatures; summers are very hot with frequent temperatures above 100 to 110 degrees. Rainfall is too light in many areas for crop production, and as it occurs only in winter, the long, hot, rainless summer demands that diversions of water from the Sacramento-San Joaquin system be utilized for irrigation. Practically all irrigation water comes from the Sierra Nevada, for only a few weak streams reach the valley from the coast ranges The sources of the Sacramento tap high mountain areas of the Northern California region, and strong tributaries enter from the northern Sierra. Tulare Basin in the south receives the Kings, Kaweah, and Kern Rivers.

The fortuitous combination of level land, good soils, high summer temperatures and normally adequate irrigation water, to say nothing of human initiative and energy, have helped to create in the Great Valley the largest continuous block of farmland in the State, in area one-half the cultivated land in California. Crops, in the main, are produced on a commercial scale. They tend to be localized in areas favoring profitable production.

Oranges are planted in the eastern foothills for air drainage on cold winter nights; rice culture is centered along the Sacramento River near Colusa; apricots, figs, and raisin grapes find late summer drying conditions excellent around Fresno; truck crops, as potatoes and asparagus, flourish in the black soils of the delta Alfalfa, wheat, barley, cotton, olives, nuts, melons, wine grapes, to name only a few of the major crops, find their way to local markets to be sacked, baled, boxed, and packaged for nation-wide distribution.

Market towns serve to collect, process, and ship the produce of the tributary area and supply growers with their needs. Redding, Red Bluff, Chico, Woodland, and the great center, Sacramento, are major market centers in the north; Stockton, Modesto, Merced, and Fresno in the San Joaquin area; Visalia, Tulare, Delano, and Bakersfield in the south. Sacramento, state capital, has superior advantages as a major market center because of excellent position on the navigable Sacramento River. Stockton's situation on Stockton Channel of the deepened San Joaquin gives it direct connection with foreign ports. Inland Fresno is well connected by rail and highway with the great markets around San Francisco Bay and Southern California. Bakersfield, southernmost of valley cities, is a center for the extensive petroleum fields of Tulare Basin and for vast farming enterprises. Its situation commands four passes through the enclosing mountains.

A continuing agricultural production in the Great Valley hinges on a guaranteed water supply. The building of dams and extension of canals, shifting of Sacramento River water to the lower San Joaquin Valley, and of San Joaquin River water to water-poor Tulare Basin are now carried out in the Central Valley Water Project

Northern California

North of Great Valley and Sierra Nevada lies high country with rugged, lofty ranges in the west and lava flows in the east The Southern Cascades, a volcanic ridge, trends northwest through the center, continuing the direction, if not the features, of the northern Sierra. Many volcanoes crown its summit; most spectacular is Mount Shasta (14,350 feet), whose snow-capped cone is a prominent landmark throughout northeastern California. Lassen Peak, with Lassen Volcanic National Park, still exhibits phenomena of receding activity, for this volcano was active as recently as 1915.

West of the Cascades is the rugged Klamath region where range beyond range extends to the coast High wooded mountains and deep canyons isolate this area; it seems a world apart, truly another California when set beside the well-tilled Great Valley Heavy rains drench the forested ridges of Salmon, Scott, and Klamath Mountains and maintain the volume of Trinity and Klamath Rivers East of the Cascades the lava plateau is interrupted by basaltic ridges, segregating flatish areas The forests of ponderosa pine are replaced in the extreme northeastern corner of the State by sparser tree growth and a cover of sage.

Culturally, Northern California is similar to the Sierra Nevada. The population is small in numbers and scattered with few large communities Unquestionably the forest is the greatest resource and lumbering the greatest industry. Gold mining continues to contribute an appreciable income, but stock raising and general farming employ far more people. Like the Sierra this area is another of the unspoiled, primitive regions of California. The recreation business is increasing yearly and has possibilities of development.

Desert California

The desert region of Eastern California encompasses a vast area extending from the Oregon line to the Mexican border. It experiences the highest temperatures, lowest humidity, and smallest annual rainfall found in the United States. A high mountain barrier on the west and southwest shuts out the moisture that might make this interior region more even-tempered, better-watered land. Five to 10 inches of rain fall annually in favored areas, while scarcely more than two to five inches are recorded over much of the southern desert.

Dry air, meager and undependable rainfall, sizzling summer temperatures, and cold, desiccating winter winds are not conducive to plant growth. One misses here the broad-leaved trees of humid lands. Instead, a sparse and stunted growth, thick-leaved and thorny, gives a monotonous tone to the landscape. Sagebrush in the north, creosote bush in the south are dominant, but mesquite and smoke tree, yucca, and cacti add interesting forms in the southern desert.

Lacking a verdant arboreal cover, the barren land forms are bold and sharply outlined against the horizon. General elevation is high, and the surface is broken by prominent ranges, often parallel, and isolated craggy buttes. Mountain blocks enclose trough-like basins onto whose sandy floors temporary streams drain from the surrounding highlands. Sharp, near-vertical slopes enclose the basins, such as the 11,000 foot scarp from Mount Whitney to Owens Valley, or the even more precipitious drop from Telescope Peak (11,045 feet) in the Panamints to the sink at Bad Water (minus 280 feet) on the floor of Death Valley.

The California desert is only the western part of the large region known to early pathfinders and fortune hunters as the "Great American Desert." Few were the travelers who chose to remain in this forbidding land Not until the considerable mineral wealth was discovered did mining draw a small and transitory population. Gold and silver are still mined while copper, lead, zinc, tungsten, and vanadium total an appreciable percentage of the State's metal production. The recovery and refining of salines—borax, potash, soda, and salt—is an industry which supports several communities: Trona on Searles Lake flat, and Boron in the western Mojave Desert.

One might least expect to find intensive agriculture in such a natural environment as has been pictured. Yet crop production is the great industry of the southern valleys. Where water can be procured, the desert blossoms, for the unleached soils are generally fertile Pumped water, from underground accumulations, is utilized in the alfalfa fields of Antelope Valley and the date groves and vegetable gardens in the Coachella Valley.

In areas where it is feasible to secure water from streams whose sources tap high mountains, agriculture is favored. Such an areas is Imperial Valley, southernmost of desert California's crop producing districts Its winter lettuce and early summer melons are marketed in Atlantic seaboard cities, while hay, grain, dairy produce, flax, grapes, and vegetables find ready market in nearby Los Angeles. The recently completed All-American Canal functions, as did the predecessor ditch, as the life line of Imperial Valley in carrying water from the Colorado River. Future extensions will increase the irrigable area in the Imperial Valley, America's largest irrigation district, and will also carry water to Coachella Valley, northwest of the Imperial. The Coachella and Imperial Valleys, centering on the Salton sea, contain the largest concentration of population found in the California desert area, and support large market towns such as Indio, Brawley, El Centro, and Calexico.

Capitalizing on the natural features that impart individuality, the desert is rapidly becoming a winter recreation area. The grandeur of its stark landscape under

changing lights and colors, warm sunny winter days, absence of severe storms are features that attract pleasure seekers to Death Valley, Twentynine Palms, and Palm Springs. Desert tourism is related also to the close proximity of the southern resert to metropolitan Los Angeles and to the fine system of highways connecting the two regions.

Southern California

Southern California exhibits features of all the other regions of the State. It is probably best known, least understood, and certainly the most complex geographically. Its area is smallest, its population largest, and it contains the West's biggest city. Essentially the region is a coastal plain backed by high mountains. Its coast line is long. Climate is Mediterranean in type—mild sunny winters with occasional rainy periods of short duration, and warm, rainless summers

Differentiated from the northern and central Coast Ranges by direction of mountain trend and arrangement of valleys, the mountains are so arranged as to create a semicircular rampart on the north and east, separating Southern California from the desert in the rear. The mountain barrier lies north of the region in the vicinity of Santa Barbara eastward to Los Angeles, and east of the Riverside-San Diego Area. Mountains thus enclose the lowland and fend off, somewhat, the low winter temperatures of the interior More important is the heavier precipitation their elevation produces (5,000 to 11,000 feet). They are significant sources of water which accumulates in underground basins, and also of small streams that cross the plain

The lowland stretching from mountain base to the sea is discontinuous, divided and subdivided into many valleys by low mountains and unfolded hills. These were the valleys—San Fernando, San Gabriel, San Bernardino and many more—that became early centers of agriculture, and are now becoming suburban appendages of growing metropolitan centers such as Los Angeles and San Diego.

Agriculture in California dates from the plant introduction and crop production begun in 1769 by the mission fathers, in fertile coastal valleys After the disestablishment of the missions, agriculture languished Cattle and sheep raising became the almost exclusive activity on the vast ranchos, supplying hides and wool to traders who carried on a desultory commerce during the thirties and forties. But severe and long-continued drought eventually wiped out the industry. The American conquest, the break up of large land holdings, expanding population and, particularly, the building of railroads brought about an economic revolution in Southern California

Increased local demand for farm produce, extension of irrigation, introduction of new crops such as citrus fruits and their export to eastern markets transformed agriculture By the turn of the century, farm production was the leading source of income, and it still maintains a high place in spite of the expansion of industry. Looking down upon the coastal plain from vantage points in the mountains, a vast irregular checker board of irrigated green—orchards, vineyards, gardens—covers the lowland. Tawny gashes reveal the channels of dry washes and sandy stream beds winding toward the sea. We must bear in mind that the vast agricultural production of Southern California is supported, except for a few dry-farmed crops, by artificial applications of water, irrigation.

The decade 1910-20 saw great changes Industry and trade expanded enormously in tempo and output The opening of the Panama Canal in 1915 stimulated West Coast commerce Improvements in the harbors of San Diego and Los Angeles increased their ability to handle the expanding trade. Petroleum production in the Los Angeles and Ventura Fields was accelerated, contributing eventually to the major tonnage export from Los Angeles. Continuing population increase enlarged local demands for manufacturers and furnished a labor supply for industries. Today the production of airplanes, motion pictures, automobiles, tires, furniture, and clothing ranks high in a long list of manufactured items. From stock raising to intensive agriculture, to industry and trade, economic development spans barely a century

Tourism is a long-established business in Southern California Following the completion of the two transcontinental railroads in 1885, winter visitors began to arrive. Large hotels were built and recreation was organized Climate and the natural beauty of the area are still potent attractions, and in recent years Hollywood has provided additional lure.

Conclusion

The writer has taken advantage of the geographical diversity of California to demonstrate a method of approach in considering the geography of a state Obviously the regions do not function independently any more than California functions apart from the states comprising the larger Pacific Coast region or the western United States. Synthesis must follow the analysis. Each region must be considered in its relation to

all the others, as well as to the whole area involved. When the whole is viewed in relation to its parts, unity emerges from diversity, the resultant of mutual interactions.

In addition to the above geographical breakdown of the State, the committee endeavored to ascertain where the nebulous north-south dividing line should be placed, if indeed such a line could be validly drawn. For that purpose the committee resorted to a study of the administrative breakdowns of the various departments of the State of California. Reference was made to the administrative arrangements of business organizations, and assistance was received from the U. S. Government as to the manner in which they allocated the counties north and south. With the single exception of the gas tax law, there was no provision in the state statutes indicating which counties should be considered north as against south.

The following table incorporates the population data as released to us by the Bureau of Census, and this population data has been apportioned pursuant to the above cited studies as indicated therein.

1950 POPULATION DATA—COUNTY ASSEMBLY AND CONGRESSIONAL ENTITLEMENT

Proposed New Assembly and Congressional Districts

Population of California (Final 1950) 10,586,223
Average for Assembly Districts (80) 132,328
Average for Congressional Districts (30) 352,874

A.D.	County	1950 population	Assem.[2] entitle.	New A.D.[3] No. or share	Cong[4] entitle.	New C.D.[5] No. or share
	Metropolitan					
40–71	Los Angeles (S) [1]	4,151,687	31.37	31	11.77	12
74–75	Orange (S)	216,224	1.63	2	0.61	⅔
	Subtotal	4,367,911	33 01	33	12.38	12⅔
78–80	San Diego (S)	556,808	4.21	4	1.58	1⅓
19–26	San Francisco (C)	775,357	5.86	6	2.20	2
13–18	Alameda (C)	740,315	5 59	6	2.10	2
10	Contra Costa (C)	298,984	2.26	2	0.85	⅔
7	Marin (C)	85,619	0.65	½	0.24	⅐
27	San Mateo (C)	235,659	1.78	2	0.67	1
5	Solano (C)	104,833	0.79	½	0.30	⅓
	Subtotal	2,240,767	16.93	17	6.35	6⅐
	Total metropolitan	7,165,486	54.15	54	20.31	20 (20.47)
	Rural					
	(North Coast)					
1	Del Norte (N)	8,078	0.06	⅓	0.02	⅐
1	Humboldt (N)	69,241	0.52	⅓	0.20	⅐
5	Lake (N)	11,481	0 09	¼	0.03	⅐
1	Mendocino (N)	40,854	0.31	⅓	0.12	⅐
5	Napa (C)	46,603	0 35	½	0 13	⅐
7	Sonoma (C)	103,405	0.78	½	0.29	⅐
	Subtotal	279,662	2.11	2¼	0.79	6⅐ (.86)

See references on page 6780.

1950 POPULATION DATA—COUNTY ASSEMBLY AND CONGRESSIONAL ENTITLEMENT—Continued

Proposed New Assembly and Congressional Districts

A.D.	County	1950 population	Assem.[2] entitle.	New A.D.[3] No. or share	Cong.[4] entitle.	New C.D.[5] No. or share
	(North Mountain)					
6	Amador (N)	9,151	0.07	1/10	0.03	1/19
6	El Dorado (N)	16,207	0.12	1/10	0.05	1/19
2	Lassen (N)	18,474	0.14	1/7	0.05	1/19
2	Modoc (N)	9,678	0.07	1/7	0.03	1/19
6	Nevada (N)	19,888	0.15	1/10	0.06	1/19
6	Placer (N)	41,649	0.31	1/10	0.12	1/19
2	Plumas (N)	13,519	0.10	1/7	0.04	1/19
2	Shasta (N)	36,413	0.28	1/7	0.10	1/19
2	Sierra (N)	2,410	0.02	1/7	0.01	1/19
2	Siskiyou (N)	30,733	0.23	1/7	0.09	1/19
2	Trinity (N)	5,087	0.04	1/7	0.01	1/19
	Subtotal	203,209	1.54	14/10 (1.40)	0.58	11/19 (.58)
	(Central Mountain)					
6	Alpine (C)	241	0.00	1/10	0.00	1/19
6	Calaveras (C)	9,902	0.07	1/10	0.03	1/19
6	Inyo (C)	11,658	0.09	1/10	0.03	1/19
6	Mariposa (C)	5,145	0.04	1/10	0.01	1/19
6	Mono (C)	2,115	0.02	1/10	0.01	1/19
6	Tuolumne (C)	12,584	0.10	1/10	0.04	1/19
	Subtotal	41,645	0.31	6/10 (.60)	0.12	6/19 (.32)
	(Sacramento Valley)					
4	Butte (N)	64,930	0.49	1/3	0.18	1/19
3	Colusa (N)	11,651	0.09	1/5	0.03	1/6
3	Glenn (N)	15,448	0.12	1/5	0.04	1/6
8–9	Sacramento (N)	277,140	2.09	2	0.79	1/6
4	Sutter (N)	26,239	0.20	1/3	0.07	1/6
3	Tehama (N)	19,276	0.15	1/5	0.05	1/19
3	Yolo (N)	40,640	0.31	1/5	0.12	1/6
4	Yuba (N)	24,420	0.18	1/3	0.07	1/6
	Subtotal	479,744	3.63	3.80	1.36	1.105
	(Central Coast)					
33	Monterey (C)	130,498	0.99	1	0.37	1/4
32	San Benito (C)	14,370	0.11	1/2	0.04	1/3
33	San Luis Obispo (S)	51,417	0.39	1/2	0.15	1/4
28–29	Santa Clara (C)	290,547	2.20	2	0.82	1/3
32	Santa Cruz (C)	66,534	0.50	1/2	0.19	1/3
	Subtotal	553,366	4.18	4 1/2	1.57	1 1/2
	(San Joaquin Valley)					
34–35	Fresno (C)	276,515	2.09	2	0.78	1/3
39	Kern (C)	228,309	1.73	2	0.65	1/3
36	Kings (C)	46,768	0.35	1/2	0.13	1/3
31	Madera (C)	36,964	0.28	1/2	0.10	1/3
31	Merced (C)	69,780	0.53	1/2	0.20	1/3
11–12	San Joaquin (C)	200,750	1.52	1	0.57	1/2
30	Stanislaus (C)	127,231	0.96	1	0.36	1/2
36	Tulare (C)	149,264	1.13	1/2	0.42	1/3
	Subtotal	1,135,581	8.58	8	3.22	3

See references on page 6780.

1950 POPULATION DATA—COUNTY ASSEMBLY AND CONGRESSIONAL ENTITLEMENT—Continued

Proposed New Assembly and Congresional Districts

A.D.	County	1950 population	Assem.[2] entitle.	New A.D.[3] No. or share	Cong.[4] entitle.	New C.D.[5] No. or share
	(Desert)					
77	Imperial (S)	62,975	0 48	1	0.18	⅓
76	Riverside (S)	170,046	1 29	1	0 48	⅓
72–73	San Bernardino (S)	281,642	2.13	2	0 80	1
	Subtotal	514,663	3.89	4	1.46	1 67
	(South Central Coast)					
37	Santa Barbara (S)	98,220	0.74	½	0.28	¼
38	Ventura (S)	114,647	0.87	1	0.32	¼
	Subtotal	212,867	1.61	1½	0.60	½
	Rural total	3,420,737	25 85	26 05	9.69	9 52
	Metropolitan total	7,165,486	54 15	54	20.31	20.47
		10,586,223				

[1] NOTE N—North, S—South, C—Central
[2] "Assem Entitle" means Assembly entitlement
[3] "New A. D. No or share" means number of Assemblymen granted in A B 41.
[4] "Cong Entitle" means congressional entitlement
[5] "New C D No or share" means number of congressmen granted in A B 42

POPULATION ENTITLEMENTS OF SECTIONS OF CALIFORNIA AND SHARE OF EACH IN PROPOSED ASSEMBLY AND CONGRESSIONAL DISTRICTS

	Population entitlement	Share in proposed districts
A. Assembly		
North	6.13	6.45
South	43.08	43.00
Central	30.81	30.60
B. Congressional		
North	2.30	2 25
South	16.01	16 50
Central	11.69	11 24

SOCIO-ECONOMIC FACTORS

In addition to geographical differences between areas of the State, such other factors as cultural and economic differences are significant to the reapportionment process In one section the influence of Spanish origins might be high; in another, negligible. In one section the population might be sparse and located in scattered and relatively small communities; in another, dense and concentrated in huge cities. In one section agriculture might be the principal economic activity; in another, manufacturing, recreation, lumbering, fishing, mining, etc. These socio-economic factors are a part of the pattern of population and geography. They need to be viewed as a part of that pattern. They are just examples of the many tangible and intangible things that hold a community together and make it identifiable.

Perhaps one of the best illustrations given to the interim committee of the place of a socio-economic approach was the prepared keynote statement of the Redwood Empire Association delegation arguing in behalf of a First Congressional District composed of Marin, Sonoma, Napa,

Lake, Mendocino, Humboldt and Del Norte Counties. The statement was made at the subcommittee hearing in San Francisco on February 26, 1951. It reads in part as follows:

"The following 7 Northbay Counties, by resolution of respective Boards of Supervisors, and supporting organizations and groups therein, respectfully request that said counties be established as a new Congressional District: Marin—Sonoma—Napa—Lake—Mendocino—Humboldt—Del Norte.

"Population total for these 7 Counties qualifies the area for a Congressional District, namely: Marin—84,739; Sonoma—102,685; Napa—46,373; Lake—11,380; Mendocino—39,996; Humboldt—67,848; Del Norte—8,027. *Grand Total—361,048.*

"These 7 Counties comprise a natural geographic area—agriculturally, industrially, touristwise; in terms of water and timber and other natural resources; in terms of integrated highway and transportation systems in every other way.

"People of these counties are united; their interests are mutual; their internal solidarity is complete—as testified by resolutions and other documents to be submitted by witnesses representing these counties (and organizations therein), today.

"People in these counties have been working together, for mutual benefit, in the public interest, for over 30 years— as participants in their non-profit Redwood Empire Association. They will continue to do so for many years to come."

It was in support of these arguments for a First Congressional District—population, geographic and socio-economic—that State Senator Nathan F. Coombs wrote the interim committee: "This district is a natural, if there ever was one."

Socio-economic factors are important in drawing district lines for whole regions or counties. They also may apply within counties. Application of some of these factors in an argument on a county problem is illustrated by a resolution filed with the interim committee by the San Joaquin County Citizens Reapportionment Committee:

"WHEREAS, The people of San Joaquin County are vitally interested in being fairly and adequately represented in the Assembly of the State of California, and whereas the population of the County of San Joaquin is about equally divided between rural and agricultural and urban and industrial groups, each with conflicting legislative interests; and

"WHEREAS, The diversified population with its attendant conflict of interest has been fairly represented by two Assemblymen comprising the 11th and 12th districts; and since it is not possible for one Assemblyman properly to represent all of the people of San Joaquin County; now therefore

"*Be it resolved by the San Joaquin County Citizens Reapportionment Committee* * * * that it is necessary to have two Assemblymen for San Joaquin County, one representing the metropolitan Stockton area, and the other the balance of San Joaquin County."

The socio-economic patterns of heavily populated urban counties are the most difficult to measure. Los Angeles is the most heavily populated

county. It is the most complicated. Some 185 named places go to make up what is called Los Angeles. Many of these are cohesive enough to be designated as communities and to be described as having some peculiar community interests and needs.

One of the best works on socio-economic patterns in Los Angeles County is Eshref Shevky and Marilyn Williams, *The Social Areas of Los Angeles* (Berkeley: University of California Press, 1949). A condensed and nontechnical version of this book was published by the Haynes Foundation of Los Angeles in the same year.

As a part of his work Shevky prepared a map showing population distribution in Los Angeles in the following categories: first, industrial; second, residential occupied; and third, unoccupied areas. The study was based on 1940 census figures. Committee staff attempted to make estimates to up-to-date the developments of the 10-year period from 1940 to 1950. Also available in the study was a map of the 185 named places in Los Angeles County. Keyed into it was data which analyzed the population of the named places in terms of its level of social rank, level of urbanization, and degree of segregation. In view of the fact that this data was also based on 1940 population, committee staff attempted to roughly estimate major changes since 1940.

To say that such information as provided by the sociologist and economist should be the only factor in reapportionment would be ridiculous. However, to say that socio-economic factors should have no influence would be equally ridiculous. They need be made a part of the population-geography pattern.

In the early days of the development of the representative system, before the industrial revolution's impact shattered the very close unity of the community, it was relatively easy for one man to represent and be a part of the same set of interests as almost all of the people in his community. It is still desirable to strive for homogeneous representative districts—the kind of district of which a representative can be a part, and of which he can have a real understanding. Presumably, however, there is a point beyond which this theory should not be carried. If a representative doesn't have to worry about satisfying some degree of differences within his district, he may tend to become so dogmatic and uncompromising that he would clog up the legislative process of give-and-take. An entire legislative body composed of such members would hardly be desirable. At the other extreme is a district that literally rips—by violent and opposite pulls—its representative apart, then defeats him after one term, repeats the process on the next incumbent, and the next, etc. Both extremes are equally undesirable. Some point in middle ground is desirable.

DESIRES OF THE PEOPLE

Geographic features might appear to have one effect as they are observed on a map. The important thing, however, is to check with the persons who live on, in or around a geographic feature to determine what its actual effect is on the people concerned. Socio-economic factors might appear to exist and appear to have certain effects on communities. Here

again, only by checking with the persons who are a part of a socio-economic complex can one determine whether factors actually exist and what might be their effects. The persons who know a community, county or region best are the persons who live there. The interim committee, therefore, attempted to stimulate interest in reapportionment, and to learn the desires of people and their organizations.

The initial step on the part of the committee in the performance of its work was to request that the state chairman of each political party appoint a representative group to work with the committee. At each subsequent meeting of the committee dealing with reapportionment the chairman was again notified and invited to sit with the committee and participate in the discussions.

During the early fall of 1950, the chairman of the interim committee sent letters to the mayor of every city in California, all the county boards of supervisors, the county chairmen of the political parties, all the elected representatives in the Legislature and the California delegation to the Congress, labor organizations, chambers of commerce—a total mailing list of about 800 persons and organizations. The letters advised them that the decennial reapportionment problem would be considered in the 1951 Regular Session of the Legislature, and suggested that if they were interested in the subject and in making recommendations thereon, they might well begin studying the problem.

In response to these notices, numerous communities, counties and regional associations set up committees and put them to work. One of the best examples of a city-wide reapportionment committee was the subcommittee on reapportionment of the San Diego City Chamber of Commerce. Five of the 24 members were attorneys, six had some connection with newspapers, one was the chairman of the San Diego County Democratic Central Committee, one was a member of the State Democratic Central Committee, one was the chairman of the San Diego County Republican Central Committee, three were incumbent Assemblymen, one was an incumbent State Senator, three were ex-Assemblymen, one was an ex-Senator, one was the city assessor, and other occupations listed were bank manager, rancher, and resort manager. This committee met and studied over a period of several months, and after completing its work made a recommendation for the San Diego assembly and congressional district patterns.

Some counties set up county-wide reapportionment committees such as Imperial County's Reapportionment Committee, composed of representatives of the Associated Chamber of Commerce, Board of Supervisors, Imperial Irrigation District, Farm Bureau, and other interested groups or individuals.

The next example may be drawn from the opposite section of the State—the coastal counties of the Northbay area. The drive to make the new First Congressional District up of Del Norte, Humboldt, Mendocino, Sonoma, Marin, Napa and Lake Counties was spearheaded by a regional organization, the Redwood Empire Association, working in cooperation with county, city and civic organizations in the area.

The letters sent to the above listed officials and interested parties were similar in content to the copies included hereafter on page 6784.

In addition, there was included in each letter Sections 6 and 27 of Article IV of the California State Constitution, which sections relate to reapportionment.

Prior to the series of five subcommittee meetings running from February 19th through February 27th in San Diego, Los Angeles, Fresno, San Francisco and Sacramento, the chairman of the interim committee again wrote to all mayors, boards of supervisors, city clerks, Members of the Assembly, State Senate and congressional delegation from California announcing the meetings. A press release stating the background of the reapportionment problem and the purpose of the hearings was attached to each letter.

December 2, 1950

DEAR SIR: During the next regular session of the California Legislature we will be required by law to reapportion all of the assembly and congressional districts in the State of California. The problem, this time, has added significance in that California stands to gain seven additional congressional seats.

It is the earnest desire of the Committee on Elections and Reapportionment that the final redistricting reflect the studied opinion of as many interested parties as possible so that the best possible results may be achieved for the State of California. In view of your position, it is felt that you may care to express an opinion on this subject.

May I, therefore, suggest that you discuss the various aspects of this problem with your congressman, state senator and assemblyman, who are already familiar with the fundamental law involved and the basic population figures with which we are concerned, and forward your conclusions to:

Interim Committee on Elections and Reapportionment
Suite 621, Roosevelt Building
727 West Seventh Street
Los Angeles 17, California.

It will be of material assistance to the committee if you will submit your recommendations on a map of the area having attached thereto your reasons in support We ask that you return your recommendations at the earliest possible moment so that the committee may consider them prior to the commencement of the regular session of the Legislature.

Should you have any questions please call upon us.

Very truly yours,
(Signed)

LAUGHLIN E. WATERS

February 9, 1951

GENTLEMEN You will note from the enclosed release that a series of meetings will be held throughout the State on the subject of reapportionment

Of greatest value to the committee will be the following information: 1 A large map of your area showing assembly and congressional districts (the map to be large enough to be used for demonstration purposes at the hearing); 2 A map, accompanied by supporting data, which will show population distribution within the county down to the smallest units for which such data is available; 3. A brief supporting explanation of the population map by the county planning commissioner or such other person as may be designated.

Should you desire to participate in the hearings in your area, advance notice to the office of the committee, attention Mr Joseph R. Donovan, Executive Secretary, Room 430, Roosevelt Building, 727 West Seventh Street, Los Angeles 17, California, would be of material assistance in the preparation of an agenda.

Sincerely yours,
(Signed)

LAUGHLIN E. WATERS

(Release)

February 7, 1951

Chairman Laughlin E. Waters of the Assembly Interim Committee on Elections and Reapportionment today announced a series of five meetings to be held throughout the State concerning the redistricting of assembly and congressional districts as required by the California Constitution following each federal decennial census. The purpose of these meetings is to provide an opportunity for interested citizens and groups to present their recommendations for subsequent study by the committee and consideration by the Legislature. It was pointed out that final determination of the new district lines cannot be settled until the Legislature reconvenes March 12, 1951. The committee is particularly desirous of receiving accurate data on population distribution within counties. Studied and informed opinion concerning recommendations for the redistricting and the arguments in support thereof, preferably in documentary form, for inclusion in the committee files will be welcomed by the committee. Of particular value to the committee will be the preparation of maps which graphically illustrate these recommendations.

The meetings will be held on the following dates in the following places:

February 19 ---------- San Diego
February 21 ---------- Los Angeles
February 23 ---------- Fresno
February 26 ---------- San Francisco
February 27 ---------- Sacramento

Please consult your local newspaper for exact hour and place at which the meeting is to be held.

In addition to these mass mailings, there were numerous individual letters to organizations and persons who might desire to participate.

The five hearings were held—San Diego, February 19, 1950; Los Angeles, February 21st; Fresno, February 23d; San Francisco, February 26th; and Sacramento, February 27th. Many assemblymen and senators from the areas in which the hearings were held attended each session. The hearings were public. Anyone who desired to testify, either for an organization or for himself as a citizen, was given an opportunity to be heard. A digest of the proceedings at each hearing is in a following section of this report.

Newspapers can be of particular value in reapportionment. Not only do they report news of local reapportionment committee meetings and developments, but through their editorial columns they may often express significant community attitudes on the reapportionment problems of the papers' circulation area. In order to tap this source of information about the desires of the people, the interim committee engaged Allen's Press Clipping Bureau for coverage of reapportionment news and editorials throughout the press of the State.

DESIRES OF THE ELECTED REPRESENTATIVES

One school of thought would hold that the incumbent officeholders have no right to take an interest in what happens to their assembly, state senate, or congressional district. This is the "to hell with local politicians school." It may assume the reapportionment process operates in a vacuum with no pulling and hauling pressures affecting it, or that it stands still long enough for the artist drawing the districts to first whisk his paint brush over one part of a map, then another, and finally settle on a third spot to which some fancy leads him. Neither situation occurs in real life.

The pulling and hauling is constant, and to expect to set up a static situation is to invite an explosion.

The "anti-politician" school of thought may assume that the collective opinion of the Legislature is basely motivated because of the personal interests of members, and, therefore, should not be allowed to contaminate a reapportionment bill. Yet, the United States has a representative plan of government. Political representatives are elected by the people. Incumbent representatives have been interested enough to run for office in the first place to overcome the inertia forces that continue to hold down the rest of the citizenry. Is it not, therefore, reasonable to assume that a legislator should be concerned about his district—its location, its composition, and his possibilities of being returned to office from it?

The strictly "idealistic" interpretation of American government and of the framing of the Constitution of the United States—the idea that the framers of the Constitution at Philadelphia in 1787 were motivated *only* by an intangible idealism—fell before the competent researches of the late Charles Beard (*The Economic Interpretation of the Constitution*, 1913) and many others. Generally accepted is the idea that the framers were men motivated by a *combination* of idealism and interest in their state, community, group or self. That is a premise upon which representative government has to operate.

The interim committee took the position that it was concerned about the desires of Assemblymen, State Senators and Congressmen. It took steps to attempt to learn those desires. These elected representatives were included on the mailing list for the notification letters, and also on the mailing list for the announcements for the hearings. A high percentage of Assemblymen and State Senators either participated in or sat as observers at the hearings. A high percentage of Assemblymen, State Senators and Congressmen indicated their desires about district boundary lines in letters or telegrams to the interim committee. A high percentage of these and other representatives communicated directly with the chairman of the interim committee in conversations with him. The chairman traveled to Washington, D. C., to discuss reapportionment problems with members of the California congressional delegation representative of both major political parties.

For working on the most complicated part of the reapportionment bill, the assembly districts for Los Angeles County, both Democrats and Republicans alike had an opportunity, in session with the other Assemblymen bordering on their districts, to attempt to work out agreements, within the general principles or standards guiding reapportionment, satisfactory to all concerned. Similar procedures were followed in some of the other sections of the State; they varied in others.

Reapportionment bills would be passed only if approved by a minimum of 41 yes votes in the 80 member Assembly, 21 yes votes in the 40 member State Senate, and the Governor.[5] No reapportionment bill could or should be drafted without reference to this fact.

[5] Legislative Counsel Opinion, December 11, 1950

POLITICAL FACTORS

Political data will be used in any reapportionment process. It may be the rule-of-the-thumb type of data known or guessed by individuals, or a more "scientifically" developed set of data attempting to show the significant political patterns of a state. Committee staff attempted to develop techniques for accomplishing the latter objective.

Generally, the campaign and election of Thomas Jefferson in 1800 is the historic point set as marking the rise of the influence of political parties in United States politics. By 1812, the United States already had a word for the influence of its political parties in the reapportionment process—"gerrymandering." Governor Elbridge Gerry's Jeffersonian Republican majority in the Massachusetts Legislature districted the state in a manner that worked to the advantage of the majority political party and to the disadvantage of the Federalists. The South Essex District looked like a lizard in shape. An artist is credited with adding a head, claws and a tail. It now looked like a salamander. A Federalist editor referred to the result as a "Gerrymander rather." The "gerrymander" has stuck, and has become an accepted part of American vocabulary.

The idea of the gerrymander is to spread the majority of the dominant party as broadly as possible, and to create districts that secure an advantage to one political party. In common usage, the term gerrymander has almost come to mean any political influence that comes to bear on the results of the reapportionment process.

It is standard procedure for the party out of office to apply the term gerrymander to a reapportionment performed by the party which has a majority when the reapportionment is accomplished. That is not strange, because the reapportionment process is, by its very nature, political. Political factors enter into every reapportionment, whether in California or any of the 47 other states. They entered the process before Gerry's time, and they are a part of it today. Politics is there when a legislature redistricts its own districts or the congressional districts of a state. It would be there if the California Reapportionment Commission acted instead of the Legislature. It would be there if the job were done by the Governor, or by the people voting on the subject in a popular election. There will be politics in reapportionment as long as a representative form of government exists and regardless of which political party is in power; the only question is the question of degree—how much politics? A corollary question must follow—to what extent have the political influences operated within the standards set down in the United States Constitution, Federal Statutes, and the California Constitution?

It is impossible to draw a district boundary line without that line's having some political significance. In order that members of the Legislature could have political data available at the time reapportionment decisions were being made, committee staff prepared voter registration and 1950 election data. Total registered voters, Democratic registrations and Republican registrations were obtained for each metropolitan precinct in the State. Also, by precinct, committee staff analyzed the results

of the 1950 general election races for the offices of Governor, U. S. Senator and Attorney General. Summaries of the data were colored in on precinct maps of the metropolitan areas of the State.

LEGAL RESTRICTIONS

The legal restrictions [6] applying to reapportionment in California in 1951 may be summarized from the "Legal Background" sections of this report as follows:

1. There are no provisions in the United States Constitution to tell the Legislature of California how it must reapportion congressional or legislative districts;
2. There are no standards in federal law to tell the Legislature of California how it must reapportion congressional or legislative districts; and
3. The limitations imposed on the Legislature in the Constitution of California have already been summarized on pp. 29 (congressional districts) and 31 (assembly and state senate districts) of this report. Congressional districts are most affected by the requirement that within counties, no assembly district may be divided in forming a congressional district; assembly and senate districts, by the emphasis placed on observing county lines.

[6] Legislative Counsel Opinion, December 11, 1950.

DIGEST OF FIVE PUBLIC HEARINGS HELD BY SUBCOMMITTEE OF THE ASSEMBLY INTERIM COMMITTEE ON ELECTIONS AND REAPPORTIONMENT

Five public hearings were held in five of the key cities of different geographical areas of California All of the members of the sub-committee—Waters, Chairman, Coats, Conrad, Hawkins and Stanley were present at all of the hearings. State Senator Fred Weybret represented the Senate. The chairman of the subcommittee opened each meeting with a preliminary statement outlining the reapportionment problem and requesting the views of everyone interested in or concerned about the reapportionment process.

THE SAN DIEGO HEARING

February 19, 1951—Chamber of Commerce Building

For San Diego County

James Archer, Chairman of the Special Committee to Study Reapportionment of the San Diego Chamber of Commerce, outlined the position of his committee. On the basis of population, San Diego County is entitled to a fourth assembly seat. The method of allocation of an additional assembly seat, however, had not yet been finally determined. There was general agreement that the two San Diego City Assembly Districts—the 78th and 79th—should remain substantially as presently constituted. Two major proposals were being considered for dividing the Eightieth Assembly District—the remainder of San Diego County—into two assembly districts. One would divide the Eightieth District in such a manner as to have one assembly district adjacent to Orange County on the northwest, and another adjacent to Riverside County on the northeast and Imperial County on the east. If the Seventy-eighth and Seventy-ninth Assembly Districts were made into a congressional district, this plan might enable San Diego County to also share in two other congressional districts—one San Diego assembly district with Orange County, and another San Diego assembly district with Riverside and Imperial Counties. The second proposal would create one assembly district in a sort of half-moon suburban shape around the City of San Diego on the south, east and north; the other district, then, to cover the remainder of the county. Under the second proposal, known as the Cloyed plan, only one assembly district in San Diego County would be adjacent to Orange, Riverside or Imperial Counties and therefore joinable to them to form a congressional district.

Archer stated that his committee, though opinion had not been unanimous, hoped to achieve the following congressional seat distribution: first, one congressional district for the two assembly districts within the City of San Diego; second, the joining of a northern San Diego County assembly district with the two assembly districts in Orange County to form a second congressional district; and third, the joining of a south and east San Diego County assembly district with Riverside and Imperial Counties to form a third. He knew there was some opposition in north San Diego County to this proposal by those who feared Orange

County would dominate such a congressional district; and, very little opposition in east San Diego County to a Riverside-Imperial link.

Freeman J. Durgin, President of the Northern San Diego County Associated Chambers of Commerce, suggested the Eightieth Assembly District be divided by a line drawn from east to west across the county. He also stated a preference for being joined in a congressional district with Riverside and Imperial Counties rather than Orange County. *Assemblyman Ralph Cloyed* argued against an east to west line on the ground that it would split too many cities and communities, especially if the line were run down the middle of U. S. Highway 80. The Cattlemen's Association of California had passed a resolution urging the Legislature to set up agricultural districts which would not run into metropolitan areas, in order that agricultural areas might better have agricultural representation. Cloyed suggested his suburban plan would accomplish this objective. It would, he also thought, result in a better balance between the two major political parties. *Max McComas,* member of the Oceanside City Council, testified his organization had voted to support the Cloyed plan.

Assemblyman Frank Luckel endorsed the Archer committee report as far as his Seventy-eighth Assembly District was concerned, as did *Assemblywoman Kathryn Nichouse* for the 79th. Others who made brief statements or answered questions, but not directly on the subject of assembly or congressional districts, were: *O. P. Heald,* Fallbrook Chamber of Commerce; *Estelle Henderson,* Chairman of the San Diego Rural Property League; *Robert Garland,* Carlsbad Chamber of Commerce; *James Sutton,* Vista Chamber of Commerce; and *Vincent Whelan,* Chairman of the San Diego County Democratic Central Committee and also a member of the Archer committee.

For Orange County

State Senator Clyde Watson, Orange County, Thirty-fifth Senatorial District, backed the proposal to attach a north San Diego County assembly district to the two assembly districts in Orange County to form a congressional district. He denied the charge that Orange County would seek to dominate such a district. Orange County certainly had not dominated the Orange-Riverside-Imperial District as it presently exists. He felt the north San Diego County coastal area and coastal Orange County had much in common in their agricultural and tourist industries. *Glenn McCloud,* Chairman of the Republican Central Committee of Orange County, took the same position as Senator Watson. *Fred Earl,* Associated Chambers of Commerce of Orange County, approved the plan, and stated he knew the Orange County Farm Bureau also approved.

For Imperial County

Harry C. James, Chairman of the Reapportionment Committee of the Imperial County Farm Bureau and a member of the County Reapportionment Committee composed of representatives of the Associated Chambers of Commerce, Board of Supervisors, Imperial Irrigation District, and the Farm Bureau, was the spokesman for a group from Imperial County. He favored a congressional district pattern of Riverside and Imperial Counties in one district, Orange County and one San Diego County County assembly districts in the third congressional district. Although a assembly district in another congressional district, and three San Diego

Riverside-Imperial congressional district might be low in population, he was of the opinion it was a more difficult type of area to represent. He saw great similarities between San Diego and Orange Counties and contrasted them with Riverside and Imperial Counties with the latter's special "interior" water and agriculture problems. Imperial County wanted to stay away from affiliation with any assembly district that included coastal areas such as the San Diego plan contemplated. A letter from *Congressman John Phillips,* Orange-Riverside-Imperial, Twenty-second District, was referred to, and the congressman's position was stated to be in favor of a Riverside-Imperial District, chiefly on the ground that it was too difficult for him to cover a larger area.

General Statements

Herbert Kline, LaJolla, and speaking as a citizen, said he had talked to many in Riverside and Imperial Counties, and that many had no objection to tying in with San Diego on a congressional district. He reiterated the idea that San Diego was not trying to dominate other counties, but was only interested in equitable representation. He stated further, San Diego was more interested in being tied to Riverside and Imperial Counties than Orange County because of mutual interests in water sources, many instances of persons in the two counties owning property in the other, road interests, and San Diego harbor use by the inland counties. He felt a Riverside-Imperial-San Diego combination would result in the fairest population balance.

Carlyle Reed, editor of the El Cajon Valley *News* and a member of the Archer committee, had noticed two of the maps submitted at the hearing had cut El Cajon into two different districts. He didn't mind El Cajon's being placed in either a northern or southern assembly district, but he did say the community would object violently to being split. *Franklin Barnes,* member of the Archer committee, made a general statement.

THE LOS ANGELES HEARING

February 21, 1951—State Building

For San Bernardino County

Joseph J. Kelly, Chairman of the Republican Central Committee of San Bernardino County, stated that after study of the problem by a special reapportionment committee, his organization endorsed the following recommendations: first, no change in the present Seventy-second Assembly District; and second, drop the Los Angeles County Forty-first Assembly District from the Twenty-first Congressional District so as to give San Bernardino County its own congressional district. He argued such action on congressional districts was warranted because San Bernardino County had adequate population, and it was primarily interested in citrus and mining industries while the Forty-first Assembly District is mostly agricultural.

Hobart Alter, citizen of San Bernardino County, supported Kelly's position.

For Los Angeles County

Fred L. Boone, citizen of the Forty-fifth Assembly District, asked to have the 45th moved to the west rather than the south in the event it had to

be enlarged. He wanted the 45th to remain in the Thirteenth Congressional District. *Mrs. Lee Beaude,* a citizen of Westchester area, argued for a new congressional district with Inglewood at the hub and including Westchester and Culver City. *Franklin Lowney,* Manager of the Burbank Chamber of Commerce, asked that any revision of congressional districts keep in mind the geographical limitations of the San Fernando Valley with such communities as Glendale, North Hollywood, etc., having almost identical interests. *Mrs. Rhea Stockwell,* member of the Los Angeles County Republican Central Committee from the Forty-second Assembly District, asked removal of La Crescenta from the Forty-second Assembly District to the 48th. Her principal reason was that unincorporated areas such as La Crescenta would have a better chance for representation in the Forty-eighth District because it is composed largely of unincorporated territories.

Horace B. Alexander, representing the Independent Progressive Party, presented a plan for redrawing the Fourteenth Congressional District to make it more possible for the representative from that district to be representative of the lower economic bracket and large numbers of minority groups. *A. S. Takei,* also of the I.P.P., elaborated on Alexander's statements suggesting that their plan met all the requirements for a new congressional district. *Mrs. Ethel Bryant,* member of the Los Angeles County Democratic Central Committee from the Sixty-second District, stated Negroes were not interested in the racial angle, but rather in good laws and good men, whatever their color.

William R. Walker, representing the City Council of Long Beach, requested a Long Beach congressional district composed of Long Beach, Signal Hill, and Lakewood. *Robert Wilkinson,* President of the San Fernando Young Republicans, suggested the San Fernando Valley was really three communities—Burbank, North Hollywood and Van Nuys—and he wanted Van Nuys to be included in any district set up in the west end of the San Fernando Valley.

The following Los Angeles County Assemblymen were called upon for statements: *Montivel A. Burke,* 53d Assembly District; *Ernest R. Geddes,* 49th; *William S. Grant,* 70th; *Patrick D. McGee,* 64th; *Carley V. Porter,* 69th; and *Albert I. Stewart,* 47th. Except for a few brief comments, none of them made statements or recommendations. *Assemblyman Everett G. Burkhalter,* Los Angeles, Forty-second Assembly District, pointed to his large 450,000-person Forty-second District and discussed possible allocations of his territory to other districts. He noted the Glendale-Burbank problem, the alternative that Burbank might have to be split, and the feeling in Burbank against any such split. He suggested that factions in the valley had not yet been able to agree. Speaking of the Forty-first Assembly District, Burkhalter suggested many in the district had expressed a desire to be separated from the San Bernardino County Twenty-first Congressional District.

Assemblyman Frank Lanterman, Los Angeles, Forty-eighth District, introduced *Russell Stapleton,* a citizen of the Forty-eighth Assembly District. Stapleton read a telegram from *Congressman Carl Hinshaw,* Los Angeles, Twentieth Congressional District, which read as follows: "Would like to retain in my congressional district, territory bounded by the present Forty-third, Forty-seventh and Forty-eighth Assembly Districts at least. Carl Hinshaw." Stapleton asked the Forty-eighth District

to be continued as a part of the Twentieth Congressional District. Assemblyman Lanterman concurred in Congressman Hinshaw's request, and asked that the Forty-eighth stay in the Twentieth. If that was not possible, he suggested the Forty-eighth's relationships with the San Gabriel Valley would make it best to have it included in the Twelfth Congressional District.

For Ventura County

Lester A. Price, chairman of the Board of Supervisors of Ventura County, recommended for inclusion in the Eleventh Congressional District the Counties of Ventura, Santa Barbara, San Luis Obispo and Monterey—just as they are at the present time. Ventura County did not want, he said, to be taken out of the Eleventh Congressional District and thrown in with a San Fernando Valley Assembly District in Los Angeles County. If that happened, he felt Ventura County would lose its identity.

For Santa Barbara County

Mr. Steward, speaking for the Santa Barbara County Board of Supervisors, agreed with Mr. Price's statement on keeping the Eleventh Congressional District as it is, especially keeping Ventura, Santa Barbara and San Luis Obispo Counties together. He pointed to similarities of interests of the three counties and resultant simplicity of the problem of representing them. *Assemblyman Stanley T. Tomlinson,* Santa Barbara County, Thirty-seventh District, strongly supported Mr Price. He felt it would be most disastrous to trample any part of the district in response to pressure from any direction.

THE FRESNO HEARING

February 23, 1951—Courtroom, District Court of Appeals

For Fresno County

Mr. Lohse, of the Fresno County Chamber of Commerce, presented a population map of Fresno County prepared by his organization, working in cooperation with the Fresno County Planning Commission.

Both Fresno County Assemblymen, *William Hansen* (Thirty-fifth District) and *Wallace Henderson* (Thirty-fourth District) favored the retention of the present assembly district lines of the two Fresno County Assembly Districts. Henderson said both Democrats and Republicans agreed, also, it would be necessary to lose Stanislaus County from the Ninth Congressional District. Hansen suggested a new Congressional District containing Fresno, Madera and Merced Counties.

Roy Harnish, representing the Fresno County Republican Central Committee, also felt the congressional district should include Fresno, Madera and Merced Counties. If Stanislaus County wanted to remain in the 9th District, however, in spite of its similarity of interests with San Joaquin County, he would be glad to have it continue to be a part of the district. *Lucius Powers,* Secretary of the Fresno County Republican Central Committee and a former member of the Legislature, preferred to see the congressional district remain as it is. If that were not possible, then it should be replaced with Fresno, Madera and Merced Counties. He recalled how in the 1931 Session there had been deadlock over four months on reapportionment bills, and he hoped that wouldn't happen again.

Although *State Senator Hugh Burns,* Fresno, Thirtieth District, preferred a Fresno, Madera and Merced Congressional District, he suggested it would not be impossible to include Kings County instead of Merced if the people of those counties favored such an arrangement. *Mrs. Iva Blank,* vice-chairman of the Fresno County Democratic Central Committee, said he organization felt a Fresno, Madera and Kings County District would be more satisfactory. That combination would better meet the population requirements. It would be based around the large City of Fresno at the geographic center with smaller population centers scattered around it rather than the arrangement of the old Ninth or proposed Fresno-Madera-Merced District, which would string the population centers out in a line up the center of the valley. She saw Kings County as better meeting the similarity of interest qualifications with its cotton and grape production in common with Fresno and Madera Counties, its oil fields in common with Fresno, and Fresno and Madera's joint interests in large areas of the Sierra-Nevada Mountains. In the event a district with Kings County was impossible, Mrs Blank's second choice was to include Merced. *Merrill J. Kikkel,* citizen of Fresno, discussed the general socio-economic problems involved in representation for a Fresno Congressional District. His statement was in agreement with Mrs. Blank in the way counties should be included in such district.

Ross Thomson, citizen of Fresno, made a statement against any attempt to join Fresno with any of the mountain counties to the east on the ground that geographically and economically such an arrangement would not be logical.

For Kern County

Philip Wagy, representing the Kern County Chamber of Commerce and a member of the Kern County Republican Central Committee special committee for study of reapportionment, suggested Kern County should be entitled to two assembly seats because it has the necessary population, because it is the second largest county in area in the State, and because it is divided into two parts by the Sierra Nevada Mountains. East of the Sierra Nevadas the interests are stock raising, mining, and military installations; west, agriculture and oil. He felt it was becoming increasingly difficult for one assemblyman to represent the entire county. Although he felt Kern County should have two assemblymen, he did not suggest how or where the line between the two assembly districts should be drawn.

Wagy also suggested Kern County should be entitled to a congressional district of its own. If that is not possible, he suggested continuing the present Tenth Congressional District or some combination of Kern, Kings and Tulare Counties as a reasonably homogeneous unit in which geographic and industrial features did not vary too greatly from one county to another. As a third choice, Kern County might be joined to Ventura County because the two would have much in common with agriculture and oil industries in spite of the mountain range separating them. Wagy definitely opposed joining Kern County to northern Los Angeles County to form a congressional district.

Norbert Baumgarten, also representing the Kern County Chamber of Commerce, agreed with Wagy's statement. He added, however, one more reason why Kern County should gain an assemblyman—Kern

County had gone underrepresented for 10 years since the 1941 reapportionment. At that time, Kern County ranked ninth in population, San Joaquin County 10th and Orange County 11th. Both San Joaquin and Orange Counties got two assemblymen; Kern County, only one.

State Senator Jess Dorsey, Kern County, Thirty-fourth District, was introduced but made no statement. *Assemblyman H. W. Kelly,* Kern County, Thirty-ninth District, asked for an extra assembly district, suggested Kern County would like to have its own congressional district, and if that were not possible, Kern County should continue to be joined with Kings and Tulare Counties in a congressional district. He too preferred not to be joined to any assembly districts south of Kern County in a congressional district.

For Merced County

Dean S. Lesher, publisher of the *Sun-Star* of Merced County and the *News-Tribune* of Madera County and representing only himself, made an argument for looking at the great central valley as a unit. With its population of over 1,500,000, it should be entitled to four congressional districts arranged as follows: Kern and Tulare Counties; Fresno, Kings and Madera; Merced, Stanislaus and half of San Joaquin; northern half of San Joaquin and Sacramento. Discussion followed over such a division of San Joaquin County. Chairman Waters stated that an assembly district in a county may be joined to another county to form a congressional district only when the first county has enough population for one full congressional district and then still has another assembly district left over. *Mr. Hutchins,* Chairman of the Merced County Democratic Central Committee, also said there had not been enough time to study reapportionment. He endorsed Lesher's remarks.

For Kings County

Vernon Timmons, representing the Hanford Chamber of Commerce, Kings County Board of Supervisors, City Council of Hanford, and several other civic organizations, said Kings County did not want to be joined with any coast counties in any district. It would be too hard, he felt, because of distance, geographic and other differences for one man to adequately represent such a district. Kings County would prefer the existing arrangements. If that is not possible, it would want to be in districts with other valley counties where interests are common and problems are similar.

State Senator R. R. Cunningham, Kings County, Twenty-seventh District, also preferred the present arrangement for Kings County. If changes were contemplated, Kings County would want to be with counties in the central valley, particularly Fresno, Kern or Tulare. *Assemblyman Harlan Hagen,* Kings and Tulare Counties, Thirty-sixth District, announced both Democratic and Republican Central Committees of Kings County had gone on record as favoring the retention of the present Thirty-sixth Assembly District and Tenth Congressional District. The Republican Committee had listed its second choice as a Fresno-Madera-Kings Congressional District combination. In behalf of the Tulare-Kings Assembly District, he said:

> " * * * there is a great deal of continuity of interest between the two counties of Tulare and Kings Tulare County encompasses on an easternmost border an ideal vacation land, there are several,

or at least two national parks, and hunting and fishing areas—down the valley there is some lumbering and timbering—down the valley they begin with citrus and olives, and as they progress west, they get into a dairy and cotton and vineyard economy, much the same as exists in the eastern portion of Kings County, where we have a very high cotton production—also raise a great number of fruit and grapes. The only remarkably different factor is the fact that in the western portion of Kings County we have a sizable oil field."

If Kings County doesn't go with Tulare, Assemblyman Hagen suggested the only other possibilities would be to join with San Luis Obispo, or "the very happy solution" of giving it an assembly district of its own.

For Tulare County

State Senator J. Howard Williams, Tulare County, Thirty-second District, told of opinion in his county which thought it should get an assembly district of its own because it had enough population. Several had suggested that Monterey get one assemblyman, San Luis Obispo and Kings Counties be placed in another assembly district even though population would be short, and Tulare then be placed in a district alone. The senator expressed satisfaction with the present Tenth Congressional District.

General Statements

The meeting was concluded with a brief general discussion between some subcommittee members and some witnesses about possible assembly and congressional district combinations in order that the valley might get four congressmen.

Assemblyman Tomlinson sat with the subcommittee for this meeting.

SAN FRANCISCO HEARING

February 26, 1951—State Building

For the Counties of the Redwood Empire

Lee McLeod, representing the Supervisor's Unit of the Redwood Empire Association, gave a general introduction in behalf of a Marin, Sonoma, Napa, Lake, Mendocino, Humboldt, and Del Norte congressional district. The 361,000 population would be adequate. The counties comprise a natural geographic area. Interests are similar. The people have worked together 30 years in the Redwood Empire Association. (See page 6788 of this report for complete statement.)

For Sonoma County

James Lyttle, Chairman of the Sonoma County Board of Supervisors, presented a resolution from his organization in behalf of the Redwood Empire Congressional District. He also introduced other supporters of the plan: *Hiram Hopkins,* Chairman of the Republican Central Committee of Sonoma County; *Robert Bishop* and *Ward von Tillow,* mayor and councilman, respectively, of Santa Rosa; and *State Senator F. Presley Abshire,* Sonoma County, Twelfth District. Senator Abshire reiterated the reasons for such a congressional district, and stated he knew of no objections to the plan. Both Mr. Bishop and von Tillow also spoke in behalf of the advantages of the district they proposed.

For Mendocino County

A. E. Safford, member of the Mendocino County Board of Supervisors, presented his organization's resolution in behalf of the congressional district.

For Del Norte County

Vic Meedham, member of the Del Norte County Board of Supervisors, presented his organization's resolution in behalf of the congressional district.

For Humboldt County

Assemblyman Frank Belotti, Del Norte-Humboldt-Mendocino, First District, testified in behalf of Humboldt County and presented a resolution passed by the Humboldt County Board of Supervisors in behalf of the congressional district.

For Napa County

Howard Dickenson, member of the Napa County Board of Supervisors, presented his organization's resolution and a letter from *State Senator Nathan F. Coombs*, Napa-Yolo, Eleventh District, in behalf of the congressional district.

For Lake County

Lee McLeod presented a resolution from the Lake County Board of Supervisors in behalf of the congressional district.

For Marin County

Lee McLeod presented a resolution from the Marin County Board of Supervisors in behalf of the congressional district.

General Statements in Behalf of a Redwood Empire Congressional District

Lee McLeod announced a letter endorsing the congressional district from John M. Harland for the Redwood Empire Newspaper Publishers' Unit. *Dewey Mead*, member of the Board of Supervisors of the City and County of San Francisco, but speaking as an individual, thought the requested congressional district to be in the best interest of the counties represented. *Al M. Lewis*, Manager of the Santa Rosa Chamber of Commerce, presented endorsing resolutions from the following organizations: Chambers of Commerce of Sebastopol, San Rafael, Sonoma Valley, Sonoma, Arcadia, Willows, Lolita, Ukiah, Santa Rosa, Del Norte, Petaluma, Eureka, Humboldt County and Glennville, and the Taxpayers Association of Sonoma County.

In the concluding remarks, James Lyttle asked that Marin County be considered one assembly district, and that Sonoma County be joined to Lake County to form another.

For San Francisco City and County

Thomas Toomey, Registrar of Voters, described the precinct maps, maps of assembly districts and population data his office had provided for the interim committee. *Ernest J. Torrogano*, of the City Planning Commission, was introduced and then yielded to that organization's director, *Paul Oppermann*. Mr. Oppermann said it was difficult to arrive at an over-all or sectionated set of population figures that would be final

until Bureau of the Census figures were in. He described San Francisco as a sea port, a salesman's city and a military reservation with many persons out of town during the month of April, 1950, when the Bureau of the Census made its count. He argued it was not reasonable to use a 1950 preliminary population figure for San Francisco that did not take these groups into account. Where the preliminary census showed 760,000, he estimated the final total might go to 800,000.

Cameron King, member of a Citizens Committee on Reapportionment and secretary of the Union Labor Party of San Francisco composed of American Federation of Labor unions, said he would not accept the Bureau of the Census preliminary population figures. They were 66,000 less than a 1945 census of San Francisco. If estimated on the basis of ratio of telephones, he estimated 934,000; if on water users, 862,000. King suggested that the figure might be 923,000, and that the Bureau of the Census was not right. He asked the Legislature to leave San Francisco alone with its eight Assemblymen and two Congressmen. If that gave San Francisco more than its fair share in the Assembly, he felt that would be more than counterbalanced by its under-representation in the State Senate and the fact that it had only two Congressmen. At a population of 800,000, San Francisco would be entitled to seven Assemblymen. King asked eight with no increase in congressional representation. In reference to rumors about rearrangement of congressional districts, King said he had heard that the Twentieth Assembly District might be shifted to the Fifth Congressional District and the 25th to the 4th. This would cripple Congressman Franck Havenner of the Fourth Congressional District. King suggested he wouldn't want to hurt Republican Assemblymen Thomas Maloney (Twentieth District) or Arthur Connolly (21st) and that Congressman Havenner's relationship with his district shouldn't be disturbed either. The Fourth Congressional District is a logical compact of the waterfront, the finance, the military and naval institutions. Havenner has done well, has seniority and should be allowed to continue to function.

William M. Malone, chairman of the San Francisco County Democratic Central Committee, also thought the Bureau of the Census in error, and estimated population over 900,000, although admitting he had no facts to support this figure. In regard to the rumors about changes in the Fourth Congressional District, Malone suggested if they were true and successful it would leave a permanent scar. He suggested the Democrats hadn't tried to remove the late Republican Congressman Richard Welch by gerrymandering. The Twentieth Assembly District, he said, wanted to stay in Havenner's Fourth Congressional District. He praised Havenner's many qualifications for office and services performed for the City of San Francisco. In concluding his testimony, Malone read a letter from *Congressman Havenner* to Assemblyman Waters pointing to the Celler Bill, the possibility of all state congressional reapportionments being invalid if the billl passed and the state laws did not conform, the Bureau of the Census statement that final figures would not be available until summer of 1951, the possibility that the courts would declare acts based on preliminary census figures "arbitrary and capricious," and the undesirability of taking premature action.

Jack Werchick, representing the United Democrats Organization in San Francisco, concurred in the previous testimony on the subject of

San Francisco's population, in the tribute to Congressman Franck Havenner, and in Havenner's request to delay reapportionment until final action on the Cellar Bill had been taken. He argued against reducing San Francisco's Assembly delegation purely on the grounds of population when the city was a focal point in the national emergency. Werchick showed the sub-committee two different assembly district plans—one based on seven and the other six. He favored the seven district plan in the event representation would be reduced from eight members. He felt that under it, it would be possible to more adequately represent the different segments of the San Francisco community, and in that connection discussed some socio-economic problems that might be considerations in redistricting.

S. A. Buckley, state legislative representative for the Brotherhood of Railway Clerks and speaking for four other railway brotherhoods, said his opinions were in line with those stated by Cameron King. *Mrs. Charles B. Porter,* of the San Francisco Citizen's Committee on Reapportionment, concurred in the criticisms of the population statistics, was disturbed by the rumors of possible change in the Fourth Congressional District, and suggested that the different ethnic groups of the city were more and more becoming assimilated into the whole body of the citizenry. As a former member of the San Francisco Planning Commission, she suggested Golden Gate Park had always been a dividing line between north and south, that the line of the Fourth Congressional District was based on it, and that it should not be changed.

Charles T. Augustus, representing the California State Barber and Beauty Culture League, Incorporated, said the negro population of San Francisco wanted to be in Congressman Havenner's district. *Gus C. Ringole,* a member of the San Francisco Citizens Committee on Reapportionment and a Republican, concurred in the previous observations on population and Congressman Havenner. He didn't believe, he said, the Republicans would attempt to gerrymander the Fourth Congressional District. *Alvin F. Derre,* chairman of the San Francisco County Republican Central Committee, was also of the opinion 760,000 population was too low. He asked that San Francisco be fairly and equitably divided so all of San Francisco is represented in the Legislature. *Albert K. Chow,* representing the Chinese Six Companies and Chinese Chamber of Commerce, wanted Havenner's district as it is. *Irvin S. Rosenblatt, Jr.,* appearing as a Democratic member of the Citizens Committee on Reapportionment, argued for keeping Havenner's district as it is. He pointed to the number of military installations in the 4th district and Havenner's high seniority on the Armed Services Committee of the U. S. House. He objected to what he termed "ghettoization."

Assemblyman Thomas Maloney, Twentieth District, concurred in William Malone's observations about the Bureau of the Census San Francisco 40 years ago had 18 Assemblymen, and its decline in assemblymen had been so rapid Maloney suggested the Constitution should perhaps be changed. He pointed to San Francisco as paying the second largest per capita tax load in the State. *Assemblyman Edward Gaffney,* Twenty-sixth District, concurred with Maloney's observations on the Bureau of the Census. He felt San Francisco had 100,000 more persons than she was being given credit for. *State Senator Gerald J. O'Gara,* Fourteenth District, thought 900,000 population would not be out of line when

absentees, maritime workers and military personnel were counted. He asked that the assembly districts be kept at the figure of eight, even though San Francisco had to sacrifice some congressional entitlement, and suggested San Francisco deserved as much consideration as Imperial County. All the San Francisco Assemblymen, he felt, represented groups that needed a voice in the Legislature. O'Gara asked for the status quo on congressional districts, and complimented both Congressmen Havenner and John F. Shelley, the latter of the Fifth District. He thought the present pattern of districts in San Francisco was evenly enough balanced between the two major parties so either party stood a chance to win; he warned against attempting to create safe districts for either party through the reapportionment process

Assemblyman Arthur H. Connolly, Jr., Twenty-first District, and *Charles Meyers*, Twenty-fourth District, were also in attendance. *Assemblyman George D. Collins, Jr.*, Twenty-second District, sat as a regular member of the subcommittee. They made no statements.

For Alameda County

Leonard Seeley, a member of the San Leandro City Council and chairman of the Southern Alameda County Committee for Reapportionment, served as the spokesman for the following organizations in the reapportionment committee: The City Councils of Hayward, San Leandro, Livermore and Pleasanton, and the Chambers of Commerce of Washington Township, Livermore, Pleasanton, Chester Valley, Eden Township, Hayward and San Leandro Resolutions from all the cities and Chambers of Commerce were filed with the committee Seeley said post office officials had estimated that there were some 175,000 persons in southern Alameda County, south of the northern line of the City of San Leandro. Presently the Fourteenth Assembly District includes Alameda City and part of San Leandro, and the Thirteenth District includes East Oakland and the remainder of southern Alameda County The Southern Alameda County Committee for Reapportionment asked for an assembly district wholly within their area and not including either the City of Alameda or East Oakland. Seeley pointed to special problems of the area: industrial development, drainage, flood control, planning, transportation, highways, schools, civil defense, water, etc. The socio-economic facts of the area argued for such a southern district, he said.

Assemblyman Randal F. Dickey, Fourteenth District, and *Assemblyman Marvin Sherwin*, Sixteenth District, were both in attendance at the hearing. Neither made statements.

For San Mateo County

Louis DeMatteis, District Attorney of San Mateo County, served as the spokesman for the County Board of Supervisors, the Citizens Committee of San Mateo consisting of 13 municipalities and other groups, and a committee of Chambers of Commerce The committee was presented with a map showing population density and areas of estimated future growth, and another showing incorporated and unincorporated places with the 1950 preliminary returns for the area and a higher estimated population for February 1, 1951. DeMatteis felt preliminary

census counts too low, and based his estimates on upswings in election registration, average school attendance, residential building permits, and new residence water and electric connections.

DeMatteis recommended two assembly districts for San Mateo, though he did not suggest how the two should divide the county. He analyzed several possible congressional district combinations: to join with an assembly district in Alameda County, not a serious suggestion because few ties exist that far across the bay; second, to join with Santa Clara County, not a serious suggestion because Santa Clara already is entitled to 85/100 of a Congressman; third, to join with Santa Cruz, a serious suggestion because the two counties are quite similar and their population about right; fourth, to join with an assembly district in San Francisco, though there is basic difference between the metropolitan and the rural; and fifth, to have one congressional district for San Mateo County.

Marion H. Kent, Chairman of the San Mateo County Democratic Central Committee, said his organization would prefer a congressional district with Santa Cruz or Santa Clara rather than San Francisco. *Enoch L. Richardson,* Chairman of the San Mateo County Republican Central Committee, supported the DeMatteis presentation, as did *Alvin Hatch*, chairman of the county board of supervisors, and *Ed MacDonald*, a member of the board of supervisors.

For Contra Costa County

Iona M. Booth, General Manager of the Contra Costa County Development Association and representing also the County Board of Supervisors, argued for one congressional district for the county. With the rapid growth of the county, she felt that was deserved If not, Contra Costa County would want to be attached to an assembly district in the east end of Alameda County. It did not want to attach to Solano County with which it had nothing in common. She quoted *State Senator Luther E. Gibson,* Solano County, Fifteenth District, as also opposing such a union. For division of assembly districts, Miss Booth suggested the boundary line of the first supervisorial district.

Louis L. Bernheim, representing the Contra Costa Republican Central Committee and also a member of the legislative committee of the Richmond Chamber of Commerce, repeated the request for two assemblymen and suggested the first supervisorial district as a boundary line between the two. He opposed making one district out of the first supervisorial district minus Rodeo and Pinole, and placing the rest of the county in another. He also thought Contra Costa County should get its own congressional district.

Assemblyman Robert Condon, Contra Costa County, Tenth District, stated Contra Costa County was united in its request for two assembly districts and one congressional district. It is the fifth largest county in California. Except for San Mateo, which is tenth, all of the first 12 ranking counties except Contra Costa have two assemblymen. As for the division line between the two assembly districts, Condon suggested that population balance would be better served if the first supervisorial district minus the eleventh judicial township (Rodeo, Pinole, Hercules, Selby) be

one assembly district, and the remainder of the county the other. In support of a single congressional district for the county, he cited the 198 percentage growth since 1940—the highest rate in the Nation, and a rate which gives no appearance of slowing down. If Contra Costa were joined to an assembly district of a neighboring county, the district's population would be as much over as Contra Costa alone would be under a 350,000 ideal. If joined with Solano, the total would be 400,000. Solano is second in rate of growth only to Contra Costa County. Condon predicted if such a union were made that it would be the biggest congressional district in California and perhaps the United States before the next 10-year period is up. He cited support for a separate congressional district for Contra Costa County from every organization within the county and also from *Congressman George P. Miller,* Sixth District incumbent.

State Senator George Miller, Jr., Contra Costa County, Seventeenth District, thought the location of the line between the two assembly districts didn't make a great deal of difference because good Democratic candidates would win. He read a letter from the Richmond Chamber of Commerce proposing a western assembly district of Kensington Park, El Cerrito, Richmond, San Pablo, El Sobrante and perhaps Pinole, and an eastern district of the remainder of the county. He concurred in Assemblyman Condon's suggestion that the western district be made up of the first supervisorial district minus the 11th judicial township, and that the eastern district be made up of the rest of the county.

General Statement

State Senator Ed. C. Johnson, Sutter and Yuba Counties—Seventh District, sat with the subcommittee, as did *Assemblyman Richard J. Dolwig,* San Mateo, Twenty-seventh District.

THE SACRAMENTO HEARING

February 27, 1951—State Capitol

For Butte County

Raymond A. Leonard, District Attorney of Butte County, represented the following organizations: Butte County Board of Supervisors, Associated Chambers of Commerce of Butte County, the Chico and Oroville Chambers of Commerce, and the Democratic and Republican Central Committees of Butte County. Leonard proposed a "valley county" congressional district consisting of Glenn, Butte, Colusa, Sutter, Yuba, Yolo and Solano Counties. The population of this district would come to 82 percent of the ideal of 350,000. If Lake and Napa Counties were included, its population would be 97 percent of desired. Geographically, the boundary to the west would be the line of coastal counties, and the boundary to the north and east, the line of mountain counties. All the counties in the valley are primarily agricultural and have no community of interest with coastal or mountain counties. If Yolo County were joined to Sacramento County in a congressional district, and Lake and Napa Counties were included, Leonard felt it would still make a good congressional district. *Jack Madigan*, of the Chico Chamber of Commerce, endorsed Leonard's statement of position.

For San Joaquin County

State Senator Verne W. Hoffman, Twentieth District, introduced a delegation of 10 persons from San Joaquin County: *Ben Goodwin, Raymond Mottler* and *Charles Cooper,* officers of the County Farm Bureau; *E. R. Williams,* commander of the third largest American Legion Post in California; *George Ohm,* chairman of the County Board of Supervisors; *Robert Monagan,* secretary of the Tracy Chamber of Commerce; *Herb Milford,* chairman of the County Democratic Central Committee; *Henry Meyers,* chairman of the County Republican Central Committee; *Jim Estes,* political editor of the Stockton Record; and *Assemblyman Howard Parker,* Eleventh District.

Robert Monagan told of the organization of a county-wide Citizen's Reapportionment Committee with the chairmen of the Democratic and Republican County Central Committees as cochairmen. Monagan suggested that although San Joaquin was a great agricultural area, it also had experienced a great industrial growth tending to make it the most diversified county in California. One person, therefore, can't fairly and adequately represent the county. He felt San Joaquin County had the qualifications to keep pace with the State in its rich farm lands, Port of Stockton, the industrial area that goes with three transcontinental railroads, highways bisecting the state both east-west and north-south, and a group of intelligent citizens willing to vote If Congressional Districts 3 and 9 were to be changed, he favored the combination of San Joaquin and Stanislaus Counties to make a new congressional district. *George Ohm* affirmed and elaborated on Monogan's statement. *Assemblyman Parker* took the same position.

For Sacramento County

Alf R. Stavig, spokesman for the reapportionment subcommittee of the Governmental Affairs Committee of the Sacramento Chamber of Commerce, said his committee had been studying reapportionment since September, 1950. If Sacramento County was too small for a single congressional district, his committee recommended the addition of Yolo County. That would make a district of about 315,000, consisting of contiguous counties, and with very close economic ties.

Assemblyman Gordon A. Fleury, Eighth District, speaking for himself and *Assemblyman John E. Moss,* Ninth District, stated they would present the committee with a revision of assembly lines for the Eighth and Ninth Assembly Districts in Sacramento County. Fleury also stated it was the unanimous thought of all civic groups in Sacramento County and almost all in Yolo County that the two counties be formed into a congressional district.

For Napa County

George A. Solomon, representing the Napa County Central Labor Council and appearing also as Chairman of the Third Congressional District Democratic Committee, supported Raymond Leonard's recommendation for a "valley county" congressional district with Lake and Napa Counties included. He felt Napa County's interests were more closely in line with the valley counties than with the coastal counties of

the Redwood Empire. Many in Napa and Lake Counties, he said, feel they are a sort of appendix on the Redwood Highway, and are not too well satisfied with their status. He referred to a recent meeting in Sacramento of representatives from the First, Second, and Third Congressional Districts, and said the representative from Lake County did not want to be a part of the Redwood Empire District. Solomon knew of no meeting on the subject of reapportionment held in Napa County.

Samuel R. Geddes, representing the Napa County Democratic Central Committee, said Napa County in relation to the Redwood Empire counties had been a tail-of-the-kite with its 46,000 population politically not meaning very much. Napa had never gotten much out of the Redwood Association. He thought Napa County, while not related to the lumber interests of the coast counties, was directly interested in Solano County—people living in one, work in the other; the water problem is a mutual one; agricultural interests are in common. If Napa County joined with smaller counties in a congressional district, her 46,000 population would swing more weight. He suggested those in Napa County who had passed resolutions favoring the Redwood Empire congressional district had been hurried and were not fully informed of what they were doing. In general, he felt there had not been enough public discussion. In regard to other counties, there were many in Lake County, he said, who wanted to get away from the Redwood Empire Association and many in Yolo County who did not want to be joined to Sacramento in a congressional district.

State Senator Nathan F. Coombs, Eleventh District, said reapportionment meetings had been held in Napa County; Geddes had been invited, but Geddes had not come. For a congressional district, he thought Solano County might be considered as a sort of orphan county that might be placed with Contra Costa County. He would oppose Napa County's being placed in a congressional district with Solano County. The only thing they have in common is that Solano County wants Napa County's water, and Napa County needs it for herself. Napa is a coast county. It has nothing in common with Solano County and doesn't want to be a part of it politically. Napa County, he felt, wanted to go along with the Redwood Empire. Senator Coombs also argued for a Sacramento-Yolo congressional district Both are agricultural, and climatically their interests are common. Both share some 60 miles of common river front. On the other hand, he felt Yolo County had nothing in common with Solano County, except that Solano County wanted to get water from Yolo County. Returning to Napa County, only as a last resort, he felt, would Napa County consent to becoming a part of a Marin, Sonoma, Napa, Lake, and Solano County district.

On the matter of assembly districts, Senator Coombs thought it immaterial whether Lake County was either left in or taken out of the Fifth Assembly District (Lake, Napa, Solano) which is some 30,000 over in population. He felt quite sure Napa County would be willing to go along with Solano County in an assembly district. He had no suggestions for the Third Assembly District (Glenn, Colusa, Tehama, Yolo) which is low in population.

For Solano County

Robert L. Kindig, chairman of the Solano County Democratic Central Committee, endorsed Raymond Leonard's plan for a valley congressional district. Even if Lake County should go with the Redwood Empire, he wanted Napa County to join the valley counties. Sacramento and Solano Counties have much in common and might make a good congressional district. Solano and Yolo Counties might make a good district in the event the latter was not joined with Sacramento. Kindig thought the northern part of the State should have 15 congressional districts as well as the southern part with the north entitled to 14.6 congressmen and the south to 15.4. *Paul O. Beeman,* representing the Solano Central Labor Council, submitted a resolution from his organization asking a Glenn, Butte, Sutter, Yuba, Colusa, Lake, Napa and Solano congressional district. Solano County had had difficulty getting water for military and shipyard installations, and one of the reasons, he said, is misrepresentation in Congress. He thought Solano County would be in a much stronger political position in a new district.

For Stanislaus County

Assemblyman Ralph M. Brown, Thirtieth District, noted that Stanislaus County is the northernmost county in the Ninth Congressional District; that Fresno, Madera and Merced Counties might be withdrawn from the Ninth and made into a new district; and that San Joaquin County appeared to be the same kind of an orphan at the bottom of the Third Congressional District. Assemblyman Brown said many in Stanislaus County favored a congressional union with San Joaquin County, and that there could be no logical objection to such an arrangement.

For Yolo County

H. G. Copkie, representing the Yolo County Farm Bureau, favored Raymond Leonard's plan for a congressional district with Yolo County attached to the "floor of the valley" counties other than Sacramento County. Sacramento County in a Sacramento-Yolo congressional district would, he thought, throw all the weight in an election. He felt the Yolo County Chamber of Commerce and the board of supervisors had been stampeded into resolving in favor of a Sacramento-Yolo district. Copkie argued for four congressional districts for the north.

For Alpine, Amador, Calaveras, El Dorado, Inyo, Mariposa, Mono, Placer, Nevada, and Tuolumne Counties

Assemblyman Francis C. Lindsay, Sixth District, announced he had met with the boards of supervisors and civic groups in the 10 counties of the Sixth Assembly District, and that opinion is for keeping both the Sixth Assembly District and the Second Congressional District as they are. In regard to the Congressional District, although it is 75 percent of the desired population, it covers 47 percent of the land area of the State.

For Tehama County

T. B. Keyes, Chairman of the Board of Supervisors, favored keeping the Second Congressional District as it is. He also supported the "floor of the valley" counties in their request for a congressional district as Raymond Leonard of Butte County proposed.

For Colusa County

George E. Lodi, Chairman of the Reapportionment Committee of the Colusa County Farm Bureau, announced himself in favor of the Leonard plan. Such a congressional district would be composed of agricultural counties with the same type of water and flood control problems. He would also support Sacramento County in its efforts to get a congressional district of its own, and the Second District's desire to stay as it is. If Southern California is to get six new congressmen, he thought Northern California should get one because of its large area. He recommended no assembly district changes, and thought it all right for Napa and Lake Counties to go either way in a congressional district.

For Sutter County

D. W. Davidson, representing the Sutter County Chamber of Commerce and Farm Bureau, endorsed the Leonard plan. He asked for at least one more congressman for the north.

For Yuba County

State Senator Ed. C. Johnson, Tenth District, spoke in behalf of the County Board of Supervisors, Yuba City Council and civic bodies. He concurred in the Leonard congressional district recommendation.

For Glenn County

John Fieck, Chairman of the County Board of Supervisors, approved the Leonard congressional district recommendation and leaving the Third Assembly District without changes.

THE THREE REAPPORTIONMENT BILLS OF 1951

STATE SENATE—ASSEMBLY—CONGRESSIONAL

Assembly Bill No. 141,[7] introduced by Messrs. Waters and Conrad. An act to amend Section 480 of the Government Code, relating to the division of the State into *Senatorial districts.*

Assembly Bill No. 141 made two simple changes in State Senate districts. Alpine County was removed from the Ninth District and placed in the 28th; San Benito County was removed from the Twenty-fifth District and placed in the 23d. The other counties involved in the change are shown in the following table:

Ninth District	old —El Dorado, Amador and Alpine Counties new—El Dorado and Amador Counties
Twenty-eighth District	old —Mono and Inyo Counties new—Alpine, Mono and Inyo Counties
Twenty-fifth District	old —Monterey and San Benito Counties new—Monterey County
Twenty-third District	old —Santa Cruz County new—Santa Cruz and San Benito Counties

Assembly Bill No. 41,[8] introduced by Messrs. Waters and Conrad. An act to repeal existing Section 491 of, and to add new Section 491 to, the Government Code, relating to the division of the State into *Assembly districts.*

Assembly Bill No. 41 made the following changes between counties:

1. Los Angeles County, with a population entitlement of 31.37) lost one of its 32 assembly seats to San Diego County (population entitlement 4.21) to increase the total of the San Diego County delegation from three to four;
2. San Joaquin County (with a population entitlement of 1.52) lost one of its two assembly seats to Kern County (population entitlement, 1.73) to increase the total of the Kern County delegation from one to two; and
3. San Francisco City and County (with a population entitlement of 5.86) lost two of its eight assembly seats, one going to Contra Costa County (population entitlement. 2 26) and the other to San Mateo County (population entitlement, 1.78) to increase the total of each of the Contra Costa and San Mateo delegations from one to two.

In addition to these major losses or gains, two shifts of counties from one district to another took place:

1. Lake County was taken out of the 5th District (Lake-Napa-Solano) and placed in the 3d (Tehama-Glenn-Lake-Colusa-Yolo), and Napa and Solano Counties stay in the 5th; and
2. San Luis Obispo County was taken out of the old 33d District (Monterey-San Luis Obispo) and placed in the new 36th (San

[7] Legislative Counsel's Analysis
[8] Legislative Counsel's Analysis

Luis Obispo-Santa Barbara), and Monterey County gets an assembly district of its own, the new 34th.

Allocation of assembly seats to counties receiving one or more assemblymen was strictly on the basis of population entitlement, with the exception of Imperial County. The allocation and shift in representation is shown in the following table:

No. seats 1940-51	*Entitlement priorities 1950 Census*	*Counties*	*No. seats A. B. 141*
32	31.37	Los Angeles	31 (—1)
8	5.86	San Francisco	6 (—2)
6	5.59	Alameda	6
3	4.21	San Diego	4 (+1)
1	2.26	Contra Costa	2 (+1)
2	2.20	Santa Clara	2
2	2.13	San Bernardino	2
2	2.09	Sacramento	2
2	2.09	Fresno	2
1	1.78	San Mateo	2 (+1)
1	1.73	Kern	2 (+1)
2	1.63	Orange	2
2	1.52	San Joaquin	1 (—1)
1	1.29	Riverside	1
½	1.13	Tulare	½ with Kings (1.48 total entitlement)
½	0.99	Monterey	1 (+½)
1	0.96	Stanislaus	1
1	0.87	Ventura	1
⅓	0.80	Solano	½ with Napa (1.15 total entitlement)
½	0.78	Sonoma	½ with Marin (1.43 total entitlement)
1	0.74	Santa Barbara	½ with San Luis Obispo (1.13 total entitlement)
½	0.65	Marin	½ see Sonoma above
½	0.53	Merced	½ with Madera (0.81 total entitlement)
½	0.52	Humboldt	⅓ with Del Norte and Mendocino (0.89 total entitlement)
½	0.50	Santa Cruz	½ with San Benito (0.61 total entitlement)
⅓	0.49	Butte	⅓ with Yuba and Sutter (0.87 total entitlement)
1	0.48	Imperial	1

NOTE: The total entitlement entries are the total assembly entitlements for all the counties in that district

The following table shows the actual or estimated population for each of the 80 assembly districts set up in Assembly Bill No. 41. It also shows percentage deviation of the district's population from the ideal assembly district population of 132,328 (population of California, 10,586,223, divided by 80).

ASSEMBLY DISTRICT (A.B. No. 41) POPULATION AND PERCENTAGE DEVIATION FROM IDEAL OF 132,328

District number	*Population*	*Deviation*	*District number*	*Population*	*Deviation*
1	117,171	—11.4	41	115,671	—12.6
2	115,478	—12.7	42	156,489	+18.2
3	97,190	—26.6	43	114,904	—13.2
4	114,760	—13.3	44	127,746	— 3.5
5	151,206	+14.3	45	149,265	+12.8
6	127,885	— 3.4	46	130,081	— 1.7
7	188,011	+42.0	47	116,337	—12.1
8	137,829	+ 4.2	48	124,719	— 5.8
9	137,830	+ 4.2	49	129,781	— 1.9
10	160,000	+20.9	50	122,397	— 7.5
11	137,430	+ 3.9	51	159,119	+20 2
12	200,535	+51.5	52	135,957	+ 2.7
13	131,400	— .7	53	126,344	— 4 5
14	115,200	—12.9	54	122,846	— 7.2
15	118,800	—10.2	55	131,391	— .7
16	106,200	—19.7	56	151,965	+14.8
17	117,000	—11.6	57	119,273	— 9.9
18	135,000	+ 2.	58	133,106	+ .6
19	121,000	— 8.6	59	114,073	—13.8
20	127,000	— 4.0	60	114,639	—13.4
21	123,000	— 7.0	61	158,013	+19.4
22	127,000	— 4.0	62	153,792	+16.2
23	133,000	+ .5	63	142,986	+ 8.1
24	129,000	— 2.5	64	110,116	—16.8
25	117,973	—10.8	65	134,214	+ 1.4
26	116,057	—12.3	66	122,490	— 7.4
27	80,250	—39.4	67	137,177	+ 3.7
28	144,469	+ 9.2	68	142,076	+ 7.4
29	138,400	+ 4.6	69	168,902	+27.6
30	126,765	— 4.2	70	142,439	+ 7.6
31	106,159	—19.8	71	169.392	+28.0
32	137,113	+ 3.6	72	137,655	+ 4.0
33	137,114	+ 3.6	73	142,587	+ 7.8
34	129,911	— 1.8	74	107,031	—19.1
35	194,976	+47.3	75	107.032	—19.1
36	148,856	+12.5	76	62,512	—52.8
37	113,415	—14.3	77	125,564	— 5.1
38	113,581	—14.1	78	153,119	+15.7
39	113,582	—14.1	79	153,110	+15.7
40	142,938	+ 8.0	80	104,174	—21.3

1. 362,935 ..... + 2.9
2. 326,906 ..... — 7.4
3. 393,406 ..... +11.5
4. 371,000 (19, 21, and 22) assembly districts ..... + 5.1
5. 389,000 (20, 23, and 24) assembly districts ..... +10.2

6. 402,263 ..... +14.0
7. 365,400 Alameda (16, 17, 18) assembly districts ..... + 3.5
8. 358.200 Alameda (13, 14, 15) assembly districts ..... + 1.5
9. 234,080 ..... —33.7
10. 369,188 ..... + 4.7

11. 327,300 ..... — 7.2
12. 380,385 ..... + 7.8
13. 392,182 ..... +11.1
14. 422,139 ..... +19.7
15. 410,306 L. A. (58, 63, 65) assembly districts ..... +16.3

16. 228,712 L A. (59, 60) assembly districts ..... —35.2
17. 409,334 L. A. (46, 67, 68) assembly districts ..... +16.0
18. 270,185 L A. (44, 70) assembly districts ..... —23.4
19. 451,322 L. A. (40, 45, 51) assembly districts ..... +27.9
20. 231,241 L. A. (43, 47) assembly districts ..... —34,5

21.	396,879 L. A. (41, 42, 48) assembly districts	+12.5
22.	229,389 L. A. (57, 64) assembly districts	—35.0
23.	436,250 L A. (52, 55, 69) assembly districts	+23.6
24.	274,811 L. A. (54, 56) assembly districts	—22.1
25.	378,522 L. A. (49, 50, 53) assembly districts	+ 7.3
26.	434,295 L. A. (61, 62, 66) assembly districts	+23.1
27.	280,252	—20.6
28.	339,625 Orange and San Diego Seventy-seventh Assembly District	— 3.7
29.	231,972	—34.3
30	410,403 San Diego (78, 79, 80) Assembly District	+16.3

Assembly Bill No. 42,[9] introduced by Messrs. Waters and Conrad. An act to repeal existing Section 470 of, and to add new Section 470 to, the Government Code, relating to the division of the State into *congressional districts.*

Assembly Bill No. 42 made the following changes in congressional districts:

1. The First Congressional District, composed of 11 counties (Del Norte-Humboldt-Mendocino-Sonoma-Marin-Lake-Glenn-Colusa, Butte-Sutter-Yuba) was changed by excluding Glenn, Colusa, Butte, Sutter and Yuba Counties, and by adding Napa County to the six remaining counties. Napa County was taken out of the old Third Congressional District. The four "floor of the valley" counties of Glenn, Colusa, Sutter and Yuba Counties were placed in the new Third Congressional District; Butte, in the new Second Congressional District.
2. The Second Congressional District, composed of 18 counties (Siskiyou-Modoc-Trinity-Shasta-Lassen-Tehama-Plumas-Sierra-Nevada-Placer-El Dorado-Amador-Calaveras-Alpine-Tuolumne-Mariposa-Mono-Inyo), was changed only by taking Butte County out of the old First Congressional District and including it in the Second Congressional District.
3. The Third Congressional District, composed of five counties (Napa-Yolo-Solano-Sacramento-San Joaquin) was changed by excluding Napa County and placing it in the new First Congressional District, excluding Solano and placing it in the new Sixth Congressional District, and excluding San Joaquin County and placing it in the new Eleventh Congressional District. To Yolo and Sacramento Counties were added Glenn, Colusa, Sutter and Yuba Counties from the old First District to make the new six-county Third Congressional District.
4. The Fourth Congressional District, composed of four assembly districts in the City and County of San Francisco (19th, 20th, 21st and 22d), was changed to consist of the following three assembly districts: 19, 21 and 22.
5. The Fifth Congressional District, composed of four assembly districts in the City and County of San Francisco (23d, 24th, 25th and 26th), was changed to consist of the following three assembly districts: 20, 23 and 24.
6. The Sixth Congressional District, composed of Contra Costa County and the Thirteenth, Fourteenth and Fifteenth Assembly

[9] Legislative Counsel's Analysis.

Districts in Alameda County was changed to include only Contra Costa and Solano Counties in making up the new Sixth Congressional District. Solano County was taken out of the old Third Congressional District, and Assembly Districts 13, 14 and 15 in Alameda County went into the new Eighth Congressional District.

7. The Seventh Congressional District, composed of 16, 17 and 18 Alameda County Assembly Districts, was not changed in the reapportionment.
8. The Eighth Congressional District, composed of four counties San Mateo-Santa Cruz-Santa Clara-San Benito), was changed by moving the number to a new congressional district in Alameda County and placing San Mateo in the new Ninth Congressional District, and Santa Cruz, Santa Clara and San Benito in the new Tenth Congressional District.
9. The Ninth Congressional District, composed of four counties (Stanislaus-Merced-Madera-Fresno), was changed by giving the number to the new San Mateo Congressional District, and Stanislaus County in the new Eleventh Congressional District, and Merced, Madera and Fresno Counties in the new Twelfth Congressional District.
10. The Tenth Congressional District, composed of three counties (Kern-Tulare-Kings), was left intact, but given the new number of Fourteenth Congressional District. The new Tenth Congressional District is composed of Santa Clara, Santa Cruz and San Benito, all three of which were formerly in the old Eighth Congressional District.
11. The Eleventh Congressional District, composed of four counties (Monterey-San Luis Obispo-Santa Barbara-Ventura), was left intact, but given the new number of Thirteenth Congressional District. The new Eleventh Congressional District is composed of San Joaquin County, formerly a part of the old Third Congressional District, and Stanislaus County, formerly a part of the old Ninth Congressional District.
12. The Twelfth Congressional District, composed of three Los Angeles County assembly districts (49th, 50th and 53d), was moved away from Los Angeles County and set up to include Merced, Madera and Fresno Counties. All three counties were in the old Ninth Congressional District along with Stanislaus County.
13. The Thirteenth Congressional District, composed of three Los Angeles County assembly districts (45th, 54th and 56th), was moved away from Los Angeles County and set up to include the four counties of the old Eleventh Congressional District (Monterey-San Luis Obispo-Santa Barbara-Ventura).
14. The Fourteenth Congressional District, composed of four Los Angeles County assembly districts (44th, 55th, 62d and 64th) was moved away from Los Angeles County and set up to include the three counties of the old Tenth Congressional District (Kings-Tulare-Kern).
15. The Fifteenth Congressional District, composed of four Los Angeles County assembly districts (57th, 58th, 63d and 65th), is

now made up of the new Fifty-eighth, Sixty-third and Sixty-fifth Assembly Districts. The Fifty-seventh Assembly District is now a part of the new Twenty-second Congressional District.

16. The Sixteenth Congressional District, composed of three Los Angeles County assembly districts (59th, 60th and 61st), is now made up of the Fifty-ninth and Sixtieth Assembly Districts. The Sixty-first Assembly District is now a part of the new Twenty-sixth Congressional District.
17. The Seventeenth Congressional District, composed of four Los Angeles County assembly districts (46th, 66th, 67th and 68th) is now made up of the new Forty-sixth, Sixty-seventh, and Sixty-eighth Assembly Districts. The Sixty-sixth Assembly District is now a part of the new Twenty-sixth Congressional District.
18. The Eighteenth Congressional District, composed of three Los Angeles County assembly districts (69th, 70th and 71st), is now made up of the new Forty-fourth and Seventieth Assembly Districts. The old Forty-fourth Assembly District was in the Fourteenth Congressional District. It was abolished, and its number was moved to what was the old Seventy-first Assembly District. The old Seventy-first Assembly District number was transferred to the Riverside County Assembly District. The new Sixty-ninth Assembly District is now a part of the new Twenty-third Congressional District.
19. The Nineteenth Congressional District, composed of three Los Angeles County assembly districts (40th, 51st and 52d), is now made up of the new Fortieth, Forty-fifth and Fifty-first assembly Districts. The new Fifty-second Assembly District is now a part of the new Twenty-third Congressional District. The Forty-fifth Assembly District used to be a part of the Thirteenth Congressional District.
20. The Twentieth Congressional District, composed of four Los Angeles County assembly districts (42d, 43d, 47th and 48th), is now made up of the new Forty-third and Forty-seventh Assembly Districts. The Forty-second and Forty-eighth Assembly Districts are now a part of the new Twenty-first Congressional District.
21. The Twenty-first Congressional District, composed of the Los Angeles Forty-first Assembly District and the Seventy-second and Seventy-third Assembly Districts of San Bernardino County, is now made up of the Forty-first, Forty-second and Forty-eighth Los Angeles County Assembly Districts. The 42d and 48th districts were taken from the old Twentieth Congressional District. The two San Bernardino Assembly Districts were set up in the new Twenty-seventh Congressional District.
22. The Twenty-second Congressional District, composed of three counties (Orange-Riverside-Imperial), is now made up of the new Fifty-seventh and Sixty-fourth Los Angeles County Assembly Districts. Orange County has been placed in the new Twenty-eighth Congressional District; and Riverside and Imperial Counties, in the new 29th. The Fifty-seventh Assembly

District was taken from the old Fifteenth Congressional District, and the 64th was abolished from its old downtown Fourteenth Congressional District location and reconstituted in the west end of the San Fernando Valley.

23. The Twenty-third Congressional District, composed of three San Diego Assembly Districts (78th, 79th and 80th), is now made up of the Fifty-second, Fifty-fifth and Sixty-ninth Los Angeles County Assembly Districts. Three San Diego County assembly districts are now in the new Thirtieth Congressional District, and one in the new Twenty-eighth Congressional District. The Fifty-second Assembly District was taken from the old Nineteenth Congressional District, the 55th was abolished from its old downtown Fourteenth Congressional District location and reconstituted south of downtown Los Angeles, and the Sixty-ninth Assembly District was taken from the old Eighteenth Congressional District.
24. There were no old congressional districts beyond the number 23. The new Twenty-fourth Congressional District is composed of the Los Angeles County Fifty-fourth and Fifty-sixth Assembly Districts. Both were formerly in the old Thirteenth Congressional District, along with the Forty-fifth Assembly District.
25. The new Twenty-fifth Congressional District is composed of the Los Angeles County Forty-ninth, Fiftieth and Fifty-third Assembly Districts. All three were formerly the Twelfth Congressional District.
26. The new Twenty-sixth Congressional District is composed of the Los Angeles County Sixty-first, Sixty-second and Sixty-sixth Assembly Districts. The 61st was formerly a part of the Sixteenth Congressional District; the 62nd a part of the Fourteenth Congressional District; and the 66th, a part of the Seventeenth Congressional District.
27. The new Twenty-seventh Congressional District is composed of the two San Bernardino County Assembly Districts, the 72nd and 73d. They were formerly a part of the old Twenty-first Congressional District along with the Forty-first Assembly District of Los Angeles County.
28. The new Twenty-eighth Congressional District is composed of the two Orange County Assembly Districts, the Seventy-fourth and Seventy-fifth and the Seventy-seventh Assembly District from San Diego County. Orange County was taken from the old Twenty-second Congressional District, and the San Diego County District is a new one.
29. The new Twenty-ninth Congressional District is composed of the Counties of Riverside and Imperial. They were formerly a part of the old Twenty-second Congressional District, along with Orange County.
30. The new Thirtieth Congressional District is composed of the Seventy-eighth, Seventy-ninth and Eightieth Assembly Districts of San Diego County. San Diego County formerly was the Twenty-third Congressional District.[10]

[10] Legislative Counsel Opinion, March 26, 1951.

CONCLUSION

The history of reapportionment and the reapportionment bills as finally passed and signed into law dramatically illustrate the tides of our shifting population within the State. To more fully appreciate the gradual shift from north to south since 1891 to the present we have included a series of maps of the assembly, congressional and state senatorial districts outlining the districts as they appeared from time to time.

These shifts have given rise to some problems which have not been met at this time, the question as to whether we should amend the Constitution of the State of California in order to give greater flexibility in reaching the equalized population factors within assembly and congressional districts should be seriously considered. Balanced against such an amendment is the feasibility of leaving the county intact as basic units of government which have a community of interests that most closely affect the citizens of the area.

Further consideration must be given to the impact of reapportionment upon the existing legal party structures. Extensive revision of current provisions of the law may be necessary to conform these organizations to the pattern of the new districts.

The file of opinions from the Office of the Legislative Counsel contained in the appendix of this report points up this problem in addition to some others that are still with us.

With wider publicity of the material available, fuller use could be made of the facilities of the Bureau of the Census. A continuing study of the releases of the bureau during the interim period could be used as background preliminarily anticipating the problems of the next succeeding reapportionment.

In many counties precinct maps were not available to the committee. Consideration should be given legislation that would require county clerks to prepare up-to-date precinct maps and particularly should those be available during the year when the reapportionment problem must be approached. Jointly, with this proposal should be the requirement that county planning commissions make available to the committee undertaking the task of reapportionment a study of population distribution showing significant trends during the preceding decade.

Insofar as the committee is informed this is the first attempt to spell out the processes that were employed in an effort to meet the many questions that were raised by the study of the reapportionment problem. This does not purport to be a complete and exhaustive consideration of all of the factors involved, but it is, we trust, a constructive initial step in what should be a continuing study in this field.

APPENDIX

By Mr. Conrad:

HOUSE RESOLUTION No. 197

Relative to the creation of the Assembly Interim Committee on Elections and Reapportionment

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Elections and Reapportionment is hereby created and authorized and directed to ascertain, study and analyze all facts relating to elections and reapportionment, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the same members as the Standing Committee on Elections and Reapportionment. Vacancies occurring in the membership of the committee shall be filled by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To work with all political parties on questions involving the advisability of changes in the Elections Code relating to political parties.

(g) To conduct a preliminary survey of the 1950 Census and to ascertain any and all facts and make any needed studies concerning the best means of reapportioning the State in the light of that census.

6. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION No. 7

Assembly Concurrent Resolution No. 7—Relative to the continuance of joint committees.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Cloyed, Collier, Geo. D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury,

Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering,

OPINION No. 569

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, January 4, 1950

Honorable Laughlin E. Waters
624 Roosevelt Building
727 West Seventh Street
Los Angeles 14, California

Reapportionment—No. 569

DEAR MR. WATERS: You have asked us for a summary of Federal and State laws relating to reapportionment.

Congressional Districts

Representatives in Congress are apportioned among the several states according to their respective numbers (U. S. Constitution, Article 1, Section 2. Clause 3, and 14th Amendment, Section 2).

The House of Representatives consists of 435 members (Sections 2 and 2a of Title 2 of the United States Code).

Section 2a of Title 2 of the United States Code provides for the time and manner of reapportionment of Representatives

Under that section, the President will deliver to the Eighty-second Congress a statement of the number of Representatives to which each state will be entitled under an apportionment based on the 1950 Census. This statement will be delivered to Congress within a week after it convenes in 1951. This date will probably be within one week after January 3, 1951, as Congress customarily convenes on January 3d in accordance with the provisions of the Twentieth Amendment to the Federal Constitution. The governor of each state will then be notified within 15 days of the number of Representatives to which that state will be entitled in the Eighty-third Congress which will convene in 1953.

We have been unable to find any express direction in either the Constitution or laws of this State as to when the re-formation of congressional districts shall be made. Section 27 of Article IV of our Constitution prescribes how congressional districts shall be formed but it does not specify when Presumably, however, the re-formation of congressional districts will be made by the Legislature during the 1951 General Session at the same time that the re-formation of senatorial and assembly districts takes place, since Section 10500 of the Elections Code provides that one Representative shall be elected for each congressional district at each general election and makes no provision for the election of Representatives at large.

Section 27 of Article IV of our Constitution which governs the formation of congressional districts provides:

1. When a congressional district is composed of two or more counties, it shall not be separated by a county belonging to another district.

2. No county, or city and county, shall be divided in forming a congressional district so as to attach one portion of a county, or city and county, to another county, or city and county, except in cases where one county, or city and county, has more population than the ratio required for one or more Congressmen.

3. The Legislature may divide any county, or city and county, into as many congressional districts as it may be entitled to by law.

4. Any county, or city and county, with a population greater than the number required for one congressional district shall be formed into one or more districts according to its population. Any residue left after the formation of such congressional district or districts, shall be attached by compact adjoining assembly districts, to a contiguous county or counties, to form another congressional district.

5. In dividing a county, or city and county, into congressional districts, no assembly district shall be divided so as to form a part of more than one congressional district.

6. Every congressional district shall be composed of compact contiguous assembly districts.

Until the congressional districts are re-formed after the reapportionment, the election of Representatives will be governed by subsection (c) of Section 2a, of Title 2 of the United States Code, which provides in part:

"(1) If there is no change in the number of Representatives, they shall be elected from the districts then prescribed by the law of such state, and if any of them are elected from the state at large they shall continue to be so elected;

(2) if there is an increase in the number of Representatives, such additional Representative or Representatives shall be elected from the state at large and the other Representatives from the districts then prescribed by the law of such state;

(3) if there is a decrease in the number of Representatives but the number of districts in such state is equal to such decreased number of Representatives, they shall be elected from the districts then prescribed by the law of such state;

(4) if there is a decrease in the number of Representatives but the number of districts in such state is less than such number of Representatives, the number of Representatives by which such number of districts is exceeded shall be elected from the state at large and the other Representatives from the districts then prescribed by the law of such state; or

(5) if there is a decrease in the number of Representatives and the number of districts in such state exceeds such decreased number of Representatives, they shall be elected from the state at large."

The present division of the State into congressional districts is made by Section 470 of the Government Code.

Senatorial and Assembly Districts

Section 6 of Article IV of our State Constitution governs the formation of senatorial and assembly districts.

Under that section, the Legislature will adjust the districts and reapportion the representation at the 1951 Regular Session of the Legislature. The 1950 Federal Census will serve as the basis for such adjustment. In making such adjustments no persons who are not eligible to become citizens of the United States under the Naturalization Laws, shall be counted as forming a part of the population of any district.

In the event that the Legislature fails to adjust the districts at the 1951 Regular Session, a Reapportionment Commission, consisting of the Lieutenant Governor (Chairman), the Attorney General, the State Controller, the Secretary of State, and the State Superintendent of Public Instruction, will forthwith make the adjustment, subject, however, to the same provisions of referendum as apply to acts of the Legislature.

A. *Senatorial Districts.* With particular reference to senatorial districts, Section 6 of Article IV provides:

1. The State shall be divided into 40 senatorial districts.
2. The senatorial districts shall be composed of contiguous territory.
3. Each senatorial district shall choose one senator.
4. The senatorial districts shall be numbered from 1 to 40, inclusive, in numerical order, commencing at the northern and ending at the southern boundary of the State.
5. In the formation of senatorial districts no county, or city and county, shall be divided, nor shall a part of any county, or city and county, be united with any other county, or city and county.
6. No county, or city and county, shall contain more than one senatorial district.
7. The counties of small population shall be grouped in senatorial districts of not to exceed three counties in any one district.

The present division of the State into senatorial districts is made by Section 480 of the Government Code.

B. *Assembly Districts.* With particular reference to assembly districts, Section 6 of Article IV provides:

1. The State shall be divided into 80 assembly districts.
2. The assembly districts shall be composed of contiguous territory.
3. Each assembly district shall choose one Member of Assembly.

4. The assembly districts shall be numbered from 1 to 80, inclusive, in numerical order, commencing at the northern and ending at the southern boundary of the State.

5. Assembly districts shall be as nearly equal in population as may be.

6. In the formation of assembly districts no county, or city and county, shall be divided unless it contains sufficient population within itself to form two or more districts.

7. No part of any county, or city and county, shall be united with any other county, or city and county, in forming any assembly district.

The present division of the State into assembly districts is made by Section 491 of the Government Code.

We enclose copies of Sections 6 and 27 of Article IV of our Constitution and Section 2a of Title 2 of the United States Code.

Very truly yours,

FRED B. WOOD
Legislative Counsel
By JOHN R. BERRETT, Deputy

Article IV, Section 6, State Constitution

Senatorial and Assembly Districts

SEC. 6. For the purpose of choosing Members of the Legislature, the State shall be divided into 40 senatorial and 80 assembly districts to be called senatorial and assembly districts. Such districts shall be composed of contiguous territory, and assembly districts shall be as nearly equal in population as may be. Each senatorial district shall choose one Senator and each assembly district shall choose one Member of Assembly. The senatorial districts shall be numbered from 1 to 40, inclusive, in numerical order, and the assembly districts shall be numbered from 1 to 80 in the same order, commencing at the northern boundary of the State and ending at the southern boundary thereof In the formation of assembly districts no county, or city and county, shall be divided, unless it contains sufficient population within itself to form two or more districts, and in the formation of senatorial districts no county, or city and county, shall be divided, nor shall a part of any county, or of any city and county, be united with any other county, or city and county, in forming any assembly or senatorial district. The census taken under the direction of the Congress of the United States in the year 1920, and every 10 years thereafter, shall be the basis of fixing and adjusting the legislative districts; and the Legislature shall, at its first regular session following the adoption of this section and thereafter at the first regular session following each Decennial Federal Census, adjust such districts, and reapportion the representation so as to preserve the assembly districts as nearly equal in population as may be; but in the formation of senatorial districts no county or city and county shall contain more than one senatorial district, and the counties of small population shall be grouped in districts of not to exceed three counties in any one senatorial district; provided, however, that should the Legislature at the first regular session following the adoption of this section or at the first regular session following any Decennial Federal Census fail to reapportion the assembly and senatorial districts, a Reapportionment Commission, which is hereby created, consisting of the Lieutenant Governor, who shall be chairman, and the Attorney General, State Controller, Secretary of State and State Superintendent of Public Instruction, shall forthwith apportion such districts in accordance with the provisions of this section and such apportionment of said districts shall be immediately effective the same as if the act of said Reapportionment Commission were an act of the Legislature, subject, however, to the same provisions of referendum as apply to the acts of the Legislature.

Each subsequent reapportionment shall carry out these provisions and shall be based upon the last preceding Federal Census. But in making such adjustments no persons who are not eligible to become citizens of the United States, under the naturalization laws, shall be counted as forming a part of the population of any district. Until such districting as herein provided for shall be made, Senators and Assemblymen shall be elected by the districts according to the apportionment now provided for by law.

Article IV, Section 27, State Constitution

Formation of Congressional Districts

SEC. 27. When a congressional district shall be composed of two or more counties, it shall not be separated by any county belonging to another district. No county, or city and county, shall be divided in forming a congressional district so as

to attach one portion of a county, or city and county, to another county, or city and county, except in cases where one county, or city and county, has more population than the ratio required for one or more congressmen; but the Legislature may divide any county, or city and county, into as many congressional districts as it may be entitled to by law. Any county, or city and county, containing a population greater than the number required for one congressional district shall be formed into one or more congressional districts, according to the population thereof, and any residue, after forming such district or districts, shall be attached by compact adjoining assembly districts, to a contiguous county or counties, and form a congressional district In dividing a county, or city and county, into congressional districts no assembly district shall be divided so as to form a part of more than one congressional district, and every such congressional district shall be composed of compact contiguous assembly districts.

Section 2a of Title 2 of the United States Code

(a) On the first day, or within one week thereafter, of the first regular session of the Eighty-second Congress and of each fifth Congress thereafter, the President shall transmit to the Congress a statement showing the whole number of persons in each state, excluding Indians not taxed, as ascertained under the Seventeenth and each subsequent Decennial Census of the population, and the number of Representatives to which each state would be entitled under an apportionment of the then existing number of Representatives by the method known as the method of equal proportions, no state to receive less than one member.

(b) Each state shall be entitled, in the Eighty-third Congress and in each Congress thereafter until the taking effect of a reapportionment under this section or subsequent statute, to the number of Representatives shown in the statement required by subsection (a) of this section, no state to receive less than one member. It shall be the duty of the Clerk of the House of Representatives, within 15 calendar days after the receipt of such statement, to send to the executive of each state a certificate of the number of Representatives to which such state in entitled under this section. In case of a vacancy in the office of clerk, or of his absence or inability to discharge this duty, then such duty shall devolve upon the Sergeant-at-Arms of the House of Representatives; and in case of vacancies in the offices of both the clerk and the sergeant-at-arms, or the absence or inability of both to act, such duty shall devolve upon the Doorkeeper of the House of Representatives.

(c) Until a state is redistricted in the manner provided by the law thereof after any apportionment, the representatives to which such state is entitled under such apportionment shall be elected in the following manner: (1) If there is no change in the number of representatives, they shall be elected from the districts then prescribed by the law of such state, and if any of them are elected from the state at large they shall continue to be so elected; (2) if there is an increase in the number of representatives, such additional representative or representatives shall be elected from the state at large and the other representatives from the districts then prescribed by the law of such state; (3) if there is a decrease in the number of representatives but the number of districts in such state is equal to such decreased number of representatives, they shall be elected from the districts then prescribed by the law of such state; (4) if there is a decrease in the number of representatives but the number of districts in such state is less than such number of representatives, the number of representatives by which such number of districts is exceeded shall be elected from the state at large and the other representatives from the districts then prescribed by the law of such state; or (5) if there is a decrease in the number of representatives and the number of districts in such state exceeds such decreased number of representatives, they shall be elected from the state at large.

OPINION No. 1703

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, April 3, 1950

Honorable Laughlin E. Waters
Assembly Chamber

Reapportionment—No. 1703

DEAR MR. WATERS: You have asked us several questions relating to the reapportionment of congressional, senatorial, and assembly districts.

Question No. 1

When does reapportionment take effect: *i.e.* can it operate to deprive any officer of his office prior to the expiration of the term for which he was elected?

Opinion

It is our opinion that reapportionment will not operate to deprive any officer of his office prior to the expiration of the term for which he was elected and that reapportionment will begin to operate with the election in 1952 of officers who will take office in 1953.

Analysis

Representatives in Congress. Representatives in Congress are elected for a term of two years (U. S Const., Art. I, Sec. 2, Cl. 1). They are chosen in even-numbered years (Title 2, U. S. C., Sec. 7) and take office on January 3d in odd-numbered years (U. S. Const., Amend. XX).

The reapportionment of representatives is governed by Section 2a of Title 2 of the United States Code which provides in part that:

> "§ 2a. Reapportionment of representatives; time and manner; existing decennial census figures as basis; statement by President; duty of clerk
>
> "(a) On the first day, or within one week thereafter, of the first regular session of the Eighty-second Congress and of each fifth Congress thereafter, the President shall transmit to the Congress a statement showing the whole number of persons in each state, excluding Indians not taxed, as ascertained under the Seventeenth and each subsequent Decennial Census of the population, and the number of representatives to which each state would be entitled under an apportionment of the then existing number of representatives by the method known as the method of equal proportions, no state to receive less than one member.
>
> "(b) Each state shall be entitled, in the Eighty-third Congress and in each Congress thereafter until the taking effect of a reapportionment under this section or subsequent statute, to the number of representatives shown in the statement required by subsection (a) of this section, no state to receive less than one member. It shall be the duty of the Clerk of the House of Representatives, within 15 calendar days after the receipt of such statement, to send to the executive of each state a certificate of the number of representatives to which such state is entitled under this section. In case of a vacancy in the office of clerk, or of his absence or inability to discharge this duty, then such duty shall devolve upon the Sergeant-at-arms of the House of Representatives; and in case of vacancies in the offices of both Clerk and Sergeant-at-arms, or the absence or inability of both to act, such duty shall devolve upon the Doorkeeper of the House of Representatives."

Under this section, the President's statement of the number of representatives to which each state would be entitled under an apportionment based on the Seventeenth Decennial Census will be delivered to the Eighty-second Congress within a week after it convenes in 1951. This date will probably be within one week after January 3, 1951, as Congress customarily convenes on that date in accordance with the provisions of the Twentieth Amendment to the Constitution. Each state will then be notified within 15 days of the number of Representatives to which it will be entitled in the Eighty-third Congress which will convene in 1953.

We have been unable to find any express direction in either the Constitution or laws of this State as to when the re-formation of congressional districts shall be made. Section 27 of Article IV of our State Constitution prescribes how congressional districts shall be formed but it does not specify when. Presumably, however, the re-formation of congressional districts will be made by the Legislature during the 1951 General Session at the same time that the re-formation of senatorial and assembly districts is made.

In the event that congressional districts are not reformed in 1951, the election of Representatives will be governed by subsection (c) of Section 2a, United States Code, which provides

> "(c) Until a state is redistricted in the manner provided by the law thereof after any apportionment, the Representatives to which such state is entitled under such apportionment shall be elected in the following manner: (1) If there is no change in the number of Representatives, they shall be elected from the districts then prescribed by the law of such state, and if any of them are elected from the state at large they shall continue to be so elected; (2) if there is an increase in the number of Representatives, such additional Representative or Representatives shall be elected from the state at large and the other Representatives from the districts then prescribed by the law of such state; (3) if there is a decrease in the number of Representatives but the number of districts in such state is equal to such decreased number of Representatives, they shall be elected

from the districts then prescribed by the law of such state; (4) if there is a decrease in the number of Representatives but the number of districts in such state is less than such number of Representatives, the number of Representatives by which such number of districts is exceeded shall be elected from the state at large and the other Representatives from the districts then prescribed by the law of such state; or (5) if there is a decrease in the number of Representatives and the number of districts in such state exceeds such decreased number of Representatives, they shall be elected from the state at large."

We therefore conclude that reapportionment will not operate to deprive any Representative of his office prior to the expiration of his term and that it will become effective in 1952 with the election of Representatives who will take office in 1953.

Members of the Legislature. Terms of office of Members of the Legislature are prescribed in Article IV of our State Constitution which provides that the term of office is four years for Senators (Sec. 4) and two years for Assemblymen (Sec. 3). These terms are not shortened by a re-formation of the districts (*People* v. *Markham* (1892), 96 Cal. 262 and *People* v. *Pendegast* (1892), 96 Cal 289).

As far as the re-formation of senatorial and assembly districts is concerned, Section 6 of Article IV of our State Constitution provides in part:

"* * * The Census taken under the direction of the Congress of the United States in the year 1920, and every 10 years thereafter, shall be the basis of fixing and adjusting the legislative districts; and the Legislature shall, at its first regular session following the adoption of this section and thereafter at the first regular session following each Decennial Federal Census, adjust such districts, and reapportion the representation * * *."

Since the Decennial Census will be completed in 1950 the legislative districts will be re-formed by the Legislature during the 1951 General Session The re-formed districts will thus serve as the basis for the election of Senators and Assemblymen at the 1952 Primary and General Elections. Since the terms of only half of the Senators expire in 1952, the remaining half will be elected on the basis of the re-formed districts in 1954 and will take office in 1955.

Question No. 2

What happens when a district bearing a certain number is re-formed in an entirely new area? Does the legislator or representative from that district continue to represent the people in the old area or does he now represent the people in the district as re-formed?

Opinion and Analysis

We have already concluded that reapportionment will become effective with the election in 1952 of officers who will take office in 1953 Since all of the Congressmen and Assemblymen and one-half of the Senators will be elected in 1952 the problem will only exist with respect to those Senators who are elected in 1950. for a four-year term which expires in 1954. We believe that such Senators will continue to represent the people from the district in which they were elected. In *People* v. *Pendegast*, 96 Cal. 289, which involved the reapportionment following the 1890 Census, the court referred to this problem on page 294 where it stated:

"* * * In counties formerly in even but now in odd numbered districts, the voters will participate in the choice of Senators at this election, notwithstanding the Senators for whom they voted two years ago in their old districts hold over for two years longer. In other words, they will have double their fair and equal representatation in the Senate; while the voters in counties, like Yolo, which have been transferred from odd to even numbered districts will have no opportunity of participating in the choice of Senators at this election, notwithstanding the terms of the Senators chosen by them four years ago will have expired In other words, such counties will be deprived of their fair and equal share of representation in the Senate.

"Undoubtedly these are inconvenient and deplorable results, but it must be assumed that they were foreseen and deliberately accepted by the framers of the Constitution * * *"

Question No. 3

Will Congressmen and Members of the Legislature be eligible to run as incumbents at the first election following the re-formation of the districts?

Opinion

It is our opinion that an incumbent Congressman or Member of the Legislature cannot run as an incumbent unless the district in which he is running bears the same number as the district from which he was last elected.

Analysis

Section 6 of Article IV of our State Constitution provides in part that "each senatorial district shall choose one Senator and each assembly district shall choose one Member of Assembly." Therefore the office which each Senator and Assemblyman holds is that of Senator or Assemblyman from the district which elected him. The same principle applies to Congressmen (Cal. Const., Art. IV, Sec. 27 and Elec. C., Sec. 10500).

Section 3819 of the Elections Code, which governs the designation which appears under a candidate's name on the ballot provides that the word "incumbent" may be used only if the candidate is a candidate for the same office which he then holds. We therefore conclude that an incumbent Congressman or Member of the Legislature may use the word "incumbent" on the ballot only if he is running for re-election in a district which bears the same number as the district from which he was last elected.

This does not mean that a Congressman or Member of the Legislature who is running in a district, which because of the re-formation of districts now bears a different number, cannot have printed on the ballot the name of the office which he then holds since Section 3819 gives such a candidate the option of having one of the following designations printed on the ballot following his name:

* * * * * * *

"(a) Words designating the city, county, district or state office which the candidate then holds.

"In addition to the foregoing, Members of the Senate of the State of California may use either of the following designations: 'State Senator, _____ District, California Legislature' or 'Member of California Senate, _____ District,' or any other appropriate designation, the blanks to be filled with the appropriate district number.

"Members of the Assembly may use either of the following designations: 'Assemblyman, _____ District, California Legislature' or 'Member of the Assembly, _____ District, California Legislature,' or any other appropriate designation, the blanks to be filled with the appropriate district number.

* * * * * * *

"(c) Words designating the profession, vocation or occupation of the candidate which shall not exceed three in number. The profession, vocation or occupation so designated shall be the same as appears in the affidavit of registration of the candidate. No candidate shall assume a designation which would mislead the voters."

Very truly yours,

FRED B. WOOD
Legislative Counsel
By JOHN R. BERRETT, Deputy

OPINION No. 2681

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, October 20, 1950

Honorable Laughlin E. Waters
624 Roosevelt Building
727 West 7th Street
Los Angeles 14, California

Assembly District No. 2681

Question

DEAR MR. WATERS: You have asked whether Section 6 of Article IV of the California Constitution, relating to reapportionment of legislative districts, requires that each assembly district after the first must be geographically located southward of the district preceding it in numerical order. That is to say, for example, if a bill was introduced which would locate Assembly District No. 10 20 miles south of Assembly District No. 20, would such a bill be invalid?

Opinion

We answer your question in the negative.

With respect to the numbering of assembly districts, it is our opinion that Section 6 of Article IV requires only that such districts be numbered from 1 to 80 in numerical order, *commencing* at the northern boundary of the State and *ending* at the southern boundary. We do not believe the Constitution requires that the north to south numbering pattern must be arranged between the first and eightieth district so that *every* district must be southward of its numerical predecessor.

Analysis

Section 6 of Article IV of the California Constitution provides that the State shall be divided into 40 senatorial and 80 assembly districts each 10 years on the basis of population for the purpose of choosing Members of the Legislature. Various requirements are imposed upon the Legislature in making the decennial reapportionment. The portion of Section 6 with which we are here concerned reads as follows:

> "The senatorial districts shall be numbered from 1 to 40, inclusive, in numerical order, and the assembly districts shall be numbered from 1 to 80 in the same order, *commencing at the northern boundary of the State and ending at the southern boundary thereof.*" (Emphasis added)

To our knowledge, the above quoted part of Section 6 has never been construed by the courts.

The provisions of the Constitution are mandatory and prohibitory, unless by express words they are declared to be otherwise (Art. I, Sec 22). It is therefore clear that Assembly District No. 1 must be in the north and No. 80 in the south It does not follow, however, that a rigid geographical numbering pattern must be followed southerly from 1 to 80.

In redistricting the State in the past, the Legislature has established the policy of numbering assembly and senatorial districts in a *general* southerly direction Both Senatorial and Assembly Districts No. 1 have always been along the northern boundary of the State and Senatorial District No 40 and Assembly District No 80 have been located along the southern boundary. However, the Legislature has not in the past interpreted Section 6 of Article IV as requiring that *every* legislative district must be geographically south of its numerical predecessor. There have been many instances wherein a district located wholly or partly to the north of other districts has been given a higher number than one or more of its southerly neighbors. The present senatorial and assembly districts furnish convenient examples. Senatorial District No. 19 is wholly to the north of Senatorial Districts Nos. 16, 17, and 18, and is partly to the north of Senatorial District No. 15. The distance between No. 19 and No. 18 is well in excess of 20 miles. While no such separation occurs in the assembly districts, District 39 (Kern County) is northerly of District 38 (Ventura County). The same general situation existed under the 1931 Reapportionment.

This legislative construction is entirely reasonable, since the Constitution specifies only that the numbering must *commence* in the north and *end* in the south. No geographical numbering pattern is prescribed for achieving this result, but it naturally follows that the numbering will proceed generally southward.

We have referred to these precedents since in construing provisions of the Constitution legislative enactments have great significance. Although the Legislature cannot fix the meaning of the Constitution, and its interpretation is not controlling upon the court, where the meaning of a provision is doubtful, the contemporaneous and long standing construction thereof by the Legislature will be given great weight by the courts (*Pacific Indemnity Co.* vs. *Industrial Accident Commission*, 215 Cal. 461, 464; *Delaney* vs. *Lowery*, 25 Cal. 2d 561, 569).

Moreover, it is established that the presumption of constitutionality attaches to reapportionment acts in the same manner that it does to any other act of the Legislature, and any doubt as to the power of the Legislature to pass the particular act must result in a finding that the act is within the legislative power (*People ex rel Heffernan* vs *Carlock* (Ill.), 65 N.E. 109; *Fletcher* vs. *Ruhe* (Nev.), 52 Pac. 274; *Warson* vs. *Howell* (Wash.), 159 Pac. 777).

From all the foregoing, we conclude that the portion of Section 6 of Article IV of the California Constitution relating to the numbering of assembly districts would not be violated by a reapportionment act which located Assembly District No. 10 20 miles south of Assembly District No. 20. We believe that legal compliance with the

Constitution can be achieved if the assembly districts are numbered in a pattern which in general proceeds southerly from No. 1 in the north to No. 80 in the south.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

OPINION No. 3229

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, December 11, 1950

Honorable Laughlin E. Waters
624 Roosevelt Building
727 West Seventh Street
Los Angeles 14, California

Reapportionment—No. 3229

DEAR MR. WATERS: In response to your request on the above subject, we enclose the following:

1. Our opinion considering the several specific questions propounded by you relating to assembly and congressional districts.

2. A copy of our detailed analysis of the provisions of federal and state law relating to the powers and functions of the Legislature in reapportioning the representation of the State in the Congress and Legislature.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, December 22, 1950

Honorable Laughlin E. Waters
624 Roosevelt Building
727 West 7th Street
Los Angeles 14, California

Reapportionment—No. 3229

DEAR MR WATERS: In reference to reapportionment of the representation of the State in Congress and the Legislature, you have asked certain questions which are set forth and considered separately below.

Question 1

Are Reapportionment Bills to be handled regularly as other bills, needing only a majority vote for passage, or are there special requirements concerning the procedure to be followed in the Legislature in processing such bills—

Opinion and Analysis

We are aware of no law or rule requiring a Reapportionment Bill to be processed in a manner different from other bills and are, therefore, of the opinion that it should be handled in each house of the Legislature in all respects just as any other bill and may be passed by a majority vote in each house.

Question 2

In forming assembly districts, may a city or town be divided?

Opinion

In our opinion this question should be answered in the affirmative, with the single exception of a city which is also a county and does not contain sufficient population within itself to form two or more assembly districts.

Analysis

With respect to assembly districts, Section 6 of Article IV of the California Constitution provides in part that no county, or city and county, shall be divided unless it contains sufficient population within itself to form two or more districts. There is no such prohibition relating to cities or towns. The only area comprising

a city and county in California at the present time is San Francisco, and since it contains sufficient population within itself to form two or more assembly districts, it may be divided.

Question 3

Are there any circumstances under which an assembly district may include portions of two counties?

Opinion

We are of the opinion that this question should be answered in the negative.

Analysis

Section 6 of Article IV of the California Constitution provides in part that no portion of any county, or city and county, shall be united with any other county, or city and county, in forming any assembly district. The result of this prohibition is that while an assembly district may include several contiguous whole counties, it may not include parts of different counties under any circumstances.

Question 4

Can a congressional district be formed consisting of two and one-half counties?

Opinion

In our opinion such a district may validly be formed.

Analysis

Section 27 of Article IV of the California Constitution provides that any county, or city and county, with a population greater than the number required for one congressional district shall be formed into one or more districts, according to its population The section further provides that any residue left after the formation of such congressional district or districts shall be attached by compact adjoining assembly districts to a contiguous county or counties to form another congressional district.

From the foregoing constitutional requirement, it is clear that a congressional district may consist of two and one-half counties. The situation would occur when it is found that a county has too many people for one congressional district, but not enough for two or more The area remaining after forming one or more districts contained wholly within the county could then be attached to a contiguous county or counties to form another district. The area so attached might be half, or more or less than half, of the divided county, depending upon the circumstances

An example of the operation of the above constitutional provision is found at present in the Twenty-first Congressional District Approximately one-half of Los Angeles County is united with San Bernardino County to form the district. The lower approximate one-half of Los Angeles County comprises the Twelfth through the Twentieth Congressional Districts. If the upper half of Los Angeles County were united with Kern County as well as San Bernardino, an exact example of the situation in question would be afforded. Kern County is now, however, a part of the Tenth Congressional District.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

ANALYSIS OF LAWS RELATING TO REAPPORTIONMENT—No. 2241

(COPY)

STATE OF CALIFORNIA

OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, August 22, 1950

Analysis of Laws Relating to Reapportionment—No. 2241

Congressional Districts

The provisions of law relating to reapportionment of congressional districts are Sections 2 and 4 of Article I of the United States Constitution, Section 2 of the Fourteenth Amendment to the United States Constitution, the Federal Apportionment Act (2 U S.C. Sec. 2a), and Section 27 of Article IV of the California Constitution.

Sections 2 and 4 of Article I of the United States Constitution and Section 2 of the Fourteenth Amendment provide that Representatives shall be apportioned among the several states according to their respective numbers, excluding Indians not taxed

The enumeration of population must be made once each 10 years. The number of Representatives can not exceed one for every 30,000 people, but each state is entitled to at least one Representative. The times, places, and manner of holding elections for Representatives is to be prescribed by each state legislature, but Congress may also make regulations relating thereto.

The House of Representatives consists of 435 members (Sections 2 and 2a of Title 2 of the United States Code). This number may be increased or decreased by act of Congress.

Section 2a of Title 2 of the United States Code provides for the time and manner of reapportionment of Representatives.

Under that section, the President will deliver to the Eighty-second Congress a statement of the number of Representatives to which each state will be entitled under an apportionment bsaed on the 1950 Census. This statement will be delivered to Congress within a week after it convenes in 1951. This date will probably be within one week after January 3, 1951, as Congress customarily convenes on January 3rd in accordance with the provisions of the Twentieth Amendment to the Federal Constitution. The governor of each state will then be notified within 15 days of the number of Representatives to which that state will be entitled in the 83rd Congress which will convene in 1953.

We have been unable to find any express direction in either the Constitution or laws of this State as to when the re-formation of congressional districts shall be made. Section 27 of Article IV of our Constitution prescribes how congressional districts shall be formed but it does not specify when. Presumably, however, the re-formation of congressional districts will be made by the Legislature during the 1951 General Session at the same time that the re-formation of senatorial and assembly districts takes place, since Section 10500 of the Elections Code provides that one Representative shall be elected for each congressional district at each general election and makes no provision for the election of Representatives at large.

Section 27 of Article IV of our Constitution which governs the formation of congressional districts provides:

1. When a congressional district is composed of two or more counties, it shall not be separated by a county belonging to another district.

2. No county, or city and county, shall be devided in forming a congressional district so as to attach one portion of a county, or city and county, to another county, or city and county, except in cases where one county, or city and county, has more population than the ratio required for one or more Congressmen.

3. The Legislature may divide any county, or city and county, into as many congressional districts as it may be entitled to by law.

4. Any county, or city and county, with a population greater than the number required for one congressional district shall be formed into one or more districts according to its population. Any residue left after the formation of such congressional district or districts, shall be attached by compact adjoining assembly districts, to a contiguous county or counties, to form another congressional district.

5. In dividing a county, or city and county, into congressional districts, no assembly district shall be divided so as to form a part of more than one congressional district.

6. Every congressional district shall be composed of compact contiguous assembly districts.

Until the congressional districts are re-formed after the reapportionment, the election of Representatives will be governed by subsection (c) of Section 2a, of Title 2 of the United States Code, which provides in part:

"(1) If there is no change in the number of Representatives, they shall be elected from the districts then prescribed by the law of such state, and if any of them are elected from the state at large they shall continue to be so elected;

(2) if there is an increase in the number of Representatives, such additional Representative or Representatives shall be elected from the state at large and the other Representatives from the districts then prescribed by the law of such state;

(3) if there is a decrease in the number of Representatives but the number of districts in such state is equal to such decreased number of Representatives, they shall be elected from the districts then prescribed by the law of such state;

(4) if there is a decrease in the number of Representatives but the number of districts in such state is less than such number of Representatives, the number of Representatives by which such number of districts is exceeded shall be elected

from the state at large and the other Representatives from the districts then prescribed by the law of such state; or

(5) if there is a decrease in the number of Representatives and the number of districts in such state exceeds such decreased number of Representatives, they shall be elected from the state at large."

The present division of the state into congressional districts is made by Section 470 of the Government Code.

Senatorial and Assembly Districts

Section 6 of Article IV of our State Constitution governs the formation of senatorial and assembly districts.

Under that section, the Legislature will adjust the districts and reapportion the representation at the 1951 Regular Session of the Legislature. The 1950 Federal Census will serve as the basis for such adjustment. In making such adjustments no persons who are not eligible to become citizens of the United States under the naturalization laws, shall be counted as forming a part of the population of any district.

In the event that the Legislature fails to adjust the districts at the 1951 Regular Session, a Reapportionment Commission, consisting of the Lieutenant Governor (Chairman), the Attorney General, the State Controller, the Secretary of State, and the State Superintendent of Public Instruction, will forthwith make the adjustment, subject, however, to the same provisions of referendum as apply to acts of the Legislature.

A. *Senatorial Districts.* With particular reference to senatorial districts, Section 6 of Article IV provides:

1. The State shall be divided into 40 senatorial districts.
2. The senatorial districts shall be composed of contiguous territory.
3. Each senatorial district shall choose one senator.
4. The senatorial districts shall be numbered from 1 to 40, inclusive, in numerical order, commencing at the northern and ending at the southern boundary of the State.
5. In the formation of senatorial districts no county, or city and county, shall be divided, nor shall a part of any county, or city and county, be united with any other county, or city and county.
6. No county, or city and county, shall contain more than one senatorial district.
7. The counties of small population shall be grouped in senatorial districts of not to exceed three counties in any one district.

The present division of the State into senatorial districts is made by Section 480 of the Government Code.

B. *Assembly Districts.* With particular reference to assembly districts, Section 6 of Article IV provides:

1. The State shall be divided into 80 assembly districts.
2. The assembly districts shall be composed of contiguous territory.
3. Each assembly district shall choose one member of assembly.
4. The assembly districts shall be numbered from 1 to 80, inclusive, in numerical order, commencing at the northern and ending at the southern boundary of the State.
5. Assembly districts shall be as nearly equal in population as may be.
6. In the formation of assembly districts no county, or city and county, shall be divided unless it contains sufficient population within itself to form two or more districts.
7. No part of any county, or city and county, shall be united with any other county, or city and county, in forming any assembly district.

The present division of the State into assembly districts is made by Section 491 of the Government Code.

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

OPINION No. 3412

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, December 27, 1950

Honorable Laughlin E. Waters
624 Roosevelt Building
727 West Seventh Street
Los Angeles 14, California

Reapportionment—No. 3412

DEAR MR. WATERS: You ask whether a reapportionment bill would be subject to the referendum

In our opinion it would.

Section 1 of Article IV of the California Constitution provides, with certain exceptions not here applicable, that no act passed by the Legislature shall go into effect until 90 days after the final adjournment of the session of the Legislature which passed it. The section also sets out the method by which the people may act on such a measure in an election if a petition is filed within the 90-day period We see no reason why these provisions are not applicable to a reapportionment act as well as to other acts.

The constitution preserves the referendum right of the people even in the event that the Legislature should fail to reapportion and the reapportionment is made by the Reapportionment Commission provided for in Section 6 of Article IV. The section specifically provides that in such an event the reapportionment shall be effective the same as if made by act of the Legislature and subject to the same provisions of referendum as apply to acts of the Legislature.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

OPINION No. 3370

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, December 27, 1950

Honorable Laughlin E. Waters
624 Roosevelt Building
727 West Seventh Street
Los Angeles 14, California

Reapportionment—No. 3370

DEAR MR. WATERS:

Question

You have asked the following question concerning the formation of congressional districts by the Legislature:

> "In the formation of congressional districts, under what circumstances may the Legislature divide counties and assembly districts in order to secure the proper congressional district?
>
> "For example, the Twenty-first Congressional District presently consists of one county and one assembly district in another county. Could the Legislature take only a portion of the county and a portion of the assembly district in an effort to carve out a proper congressional district? In another example, the Second Congressional District consists of a number of counties in one assembly district and then includes the County of Tehama from another assembly district. Could the Legislature in the formation of a congressional district take only half of Tehama County, for example, and include it with the other counties, Tehama not being a complete assembly district?"

Opinion

In our opinion, the Legislature may divide any county which has a population greater than that necessary for one or more Congressmen. Any residue of population left after the formation of one or more congressional districts within a county must be attached by compact adjoining assembly districts to a contiguous county or counties to form another congressional district.

In dividing a county into two or more congressional districts, the Legislature may not also divide an assembly district so that it will form a part of more than one congressional district. We are of the opinion, however, that an assembly district may be divided so as to form a part of more than one congressional district if the division is made at county boundary lines, so that there will not also be a dividing of any county in the formation of that particular district.

With respect to the two specific questions posed by way of illustration, we answer each in the negative.

Analysis

Section 27 of Article IV of the California Constitution governs the formation of congressional districts. It reads as follows:

> "When a congressional district shall be composed of two or more counties, it shall not be separated by any county belonging to another district. No county, or city and county, shall be divided in forming a congressional district so as to attach one portion of a county, or city and county, to another county, or city and county, except in cases where one county, or city and county, has more population than the ratio required for one or more Congressmen; but the Legislature may divide any county, or city and county, into as many congressional districts as it may be entitled to by law. Any county, or city and county, containing a population greater than the number required for one congressional district shall be formed into one or more congressional districts, according to the population thereof, and any residue, after forming such district or districts, shall be attached by compact adjoining assembly districts, to a contiguous county or counties, and form a congressional district. In dividing a county, or city and county, into congressional districts no assembly district shall be divided so as to form a part of more than one congressional district, and every such congressional district shall be composed of compact contiguous assembly districts."

From the above-quoted provision of the Constitution it is clear that any county may be divided which contains enough people to form more than one congressional district, and that any residue of population left over after forming one or more districts within the county must be formed into another district with population from one or more contiguous counties. It is equally clear (from the last sentence of the above-quoted section) that *in the process of dividing* a county into congressional districts, no assembly district may be divided so as to form a part of more than one congressional district.

It does not follow, however, that the Legislature is prohibited from dividing assembly districts in the formation of a congressional district composed of one or more entire counties. The Constitution contains no express prohibition against such a procedure and we can see no reason for implying a prohibition in such a case. The present Second Congressional District furnishes an example of the situation in question. In the formation of this district, the Legislature grouped together 17 entire counties comprising the Second and Sixth Assembly Districts and one county (Tehama) from the Third Assembly District. The remaining three counties comprising the Third Assembly District serve as further examples, since two of them (Glen and Colusa) were placed in the First Congressional District and the other (Yolo) was placed in the Third Congressional District.

We turn now to your specific question with respect to the present Twenty-first Congressional District. This district consists of all of San Bernardino County and one entire assembly district in Los Angeles County. You ask whether a new congressional district could be formed by combining only a portion of San Bernardino County with a portion of the assembly district. We do not believe so. To do this would require dividing an assembly district and a county, and the Constitution, as pointed out above, prohibits the formation of a congressional district which divides both a county and an assembly district.

This problem would not arise, however, if the Legislature should first redistrict the portion of the present assembly district in Los Angeles County with which you are concerned into a separate assembly district which could then be attached in its entirety to a portion of San Bernardino County to form a valid congressional district.

Your second specific question concerns the present Second Congressional District. In this district as it is now constituted, Tehama County is combined with 17 other counties which comprise all of the Second and Sixth Assembly Districts. Tehama County is a part of the Third Assembly District. You ask whether this congressional district could be reformed by putting half of Tehama County in another congressional

district. We do not believe so. This would require dividing Tehama County so as to attach one portion of it to one county or counties and another portion of it to another county or counties. Such a division is specifically prohibited by the second sentence of Section 27 of Article IV of the Constitution, quoted above, unless a county has more population than required for one or more Congressmen. Neither Tehama County nor any county contiguous to it apparently has sufficient population to cause it to fall within the exception.

Here, also, the objection would arise that in dividing Tehama County into two congressional districts, an assembly district would be divided.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

OPINION No. 5610

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 14, CALIFORNIA, February 21, 1951

Honorable Laughlin E. Water
624 Roosevelt Building
772 West 7th Street
Los Angeles 14, California

Reapportionment—No. 5610

DEAR MR. WATERS:

Facts

The eastern boundary of County A is the western boundary of County B. Assembly District A-1 in County A is contiguous to Assembly District B-1 in County B. Assembly District A-2 in County A is contiguous to Assembly District B-2 in County B.

The diagram following illustrates the situation in question as described above.

COUNTY A COUNTY B

A-1	B-1
A-2	B-2

Question

Can two valid congressional districts be formed, one to consist of Assembly Districts A-1 and B-1, and the other of A-2 and B-2?

Opinion

In our opinion, the answer is negative.

Analysis

With respect to the formation of congressional districts, Section 27 of Article IV of the California Constitution provides in part as follows:

> "No county, or city and county, shall be divided in forming a congressional district so as to attach one portion of a county, or city and county, to another county, or city and county, except in cases where one county, or city and county, has more population than the ratio required for one or more congressmen; * * *."

The section also provides that if after formation of one or more congressional districts within a county, a residue of population remains, such residue may be attached by compact adjoining assembly districts to a contiguous county or counties to form another congressional district.

From the foregoing it appears clear that the formation of two congressional districts as contemplated by the fact situation presented would be unconstitutional as violative of the above-quoted portion of Section 27 of Article IV of the California Constitution, since no portion of either County A or County B is formed into an entire

congressional district within either county, but rather each county is divided in the formation of both such congressional districts.

It should be noted, however, that if, for example, Assembly District A-1 contained sufficient population to form a congressional district, then the residue of population in A-2 could be attached to B-2 to form another congressional district.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By ROBERT G. HINSHAW, Deputy

OPINION No. 5774

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, March 7, 1951

Honorable Laughlin E. Waters
Assembly Chamber

Reapportionment—No. 5774

DEAR MR. WATERS: You have asked the following four questions relating to reapportionment of congressional districts.

Questions

1. What is the authority for the Legislature to reapportion congressional districts?

2 Is there any provision in the California or United States Constitutions which would *require* the California Legislature to reapportion congressional districts at this session?

3. How would the new Congressmen to which California will be entitled under the 1950 Census figures be elected if the Legislature does not reapportion the congressional districts at this session or before the next congressional elections?

4. In the event the Legislature fails to reapportion the congressional districts at this session, would the Reapportionment Commission be authorized to do so?

Opinion

In our opinion:

1. The California Legislature is authorized to reapportion congressional districts at this session by the provisions of Sections 2 and 4 of Article I of the United States Constitution, Section 2 of the Fourteenth Amendment to the United States Constitution, the Federal Apportionment Act (2 U. S. C., Sec. 2a), and Section 27 of Article IV of the California Constitution.

2. Although authorized, the Legislature is not required to reapportion congressional districts at this session Reapportionment of congressional districts may be made at any subsequent session of the Legislature prior to the next Decennial Federal Census, or not at all, as the Legislature chooses

3. The new Congressmen would be elected by the State at large.

4. The Reapportionment Commission would have no authority with respect to congressional districts.

Analysis

Sections 2 and 4 of Article I of the United States Constitution and Section 2 of the Fourteenth amendment thereto provide that Representatives shall be apportioned among the several states according to their respective numbers excluding Indians not taxed. The number of Representatives cannot exceed one for every 30,000 people but each state is entitled to at least one representative The times, places, and manner of holding elections for Representatives is to be prescribed by each State Legislature, but Congress may also make regulations relating thereto.

Section 2a of Title 2 of the United States Code provides for the time and manner for the reapportionment of Representatives in Congress This section provides the means by which Congress determines the number of Representatives to which each state is entitled based upon the population as established by the 1950 Federal Census It has been estimated that California will be entitled to approximately seven additional seats in Congress. There is nothing in this section, or in any other provision of federal law of which we are aware, which prescribes the times, places, or manner of holding elections of Congressmen within the several states Consequently, the task of providing places within this State from which additional Congressmen will be elected is left to the Legislature.

We have been unable to find any express prescription in either the Constitution or laws of this State as to when the re-formation of congressional districts shall be made. Section 27 of Article IV of the California Constitution prescribes how congressional districts shall be formed but it does not specify when. Presumably, however, the re-formation of congressional districts will be made by the Legislature during this session at the same time as the re-formation of senatorial and assembly districts takes place.

Should the Legislature not reapportion the congressional districts and provide new districts from which the new Congressmen may be elected, the provisions of subsection (c) of Section 2a, of Title 2 of the United States code, will come into operation to provide a method of electing the new Congressmen until such time as the California Legislature acts to establish new districts Subdivision (2) of subsection (c) of Section 2a, of Title 2 of the United States Code, provides as follows:

> "(2) If there is an increase in the number of Representatives, such additional Representative or Representatives shall be elected from the State at large and the other Representatives from the districts then prescribed by the law of such state;"

If the reapportionment of congressional districts is made by the Legislature at this session this provision of federal law will not become operative in so far as California is concerned. Should the Legislature not reapportion such districts at this session, the new Congressmen will be elected at large at each election until such time as redistricting by the Legislature take splace. No provision is made for any other agency to reapportion the congressional districts of California should the Legislature fail to do so. The Reapportionment Commission which is provided for in Section 6 of Article IV of the California Constitution will reapportion the senatorial and assembly districts should the Legislature fail so to do at this session. This commission has no authority over congressional districts.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By ROBERT G. HINSHAW, Deputy

OPINION No. 5177

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, March 9, 1951

Honorable Laughlin E. Waters
Assembly Chamber

Reapportionment—No. 5177

DEAR MR. WATERS. You have asked three questions relating to reapportionment of assembly and congressional districts which are set forth and considered separately below.

Question

Is the Legislature prohibited from reapportioning assembly and congressional districts more than once following each Decennial Federal Census?

Opinion

It is established case law in California that the Legislature may reapportion assembly districts but once following each Decennial Federal Census.

Whether or not this rule applies to congressional districts has never been established by the California courts. We are of the opinion, however, that the rule would probably also be applied to congressional districts, resulting in a holding that the legislative power to reform congressional districts can be exercised but once after each Census.

Analysis

In fixing and readjusting the boundaries of assembly districts, the Legislature acts pursuant to the provisions of Section 6 of Article IV of the California Constitution. The section provides in part as follows:

> "The Census taken under the direction of the Congress of the United States in the year 1920 and every 10 years thereafter, shall be the basis of fixing and adjusting the legislative districts; and the Legislature shall, at its first regular session following the adoption of this section and thereafter at the first regular session following each Decennial Federal Census, adjust such districts, and reapportion the representation * * *."

In the cases of *Wheeler* vs. *Herbert* (152 Cal. 224) and *Dowell* vs. *McLees* (199 Cal 144) the California Supreme Court held that the provisions of Section 6 of Article IV, being mandatory and prohibitory, prohibit the Legislature from forming assembly districts more than once during the period between one United States Census and the succeeding one.

We have found only one case which has considered the same problem with respect to congressional districts. This was a case in the State of New York in 1918, which is discussed below, holding that more than one reapportionment of congressional districts each 10 years is valid

The provisions of law relating to reapportionment of congressional districts are Sections 2 and 4 of Article I of the United States Constitution, Section 2 of the Fourteenth Amendment to the United States Constitution, the Federal Apportionment Act (2 U. S. C Sec 2a), and Section 27 of Article IV of the California Constitution

The federal laws referred o above require the President to inform Congress after each Census of the number of Representatives in Congress to which each state is entitled based upon the populations of each as determined by the Census. The Clerk of the House of Representatives then notifies the governor of each state of the number of Representatives to which it is entitled. This procedure has occurred.

The places within each state from which the various Representatives to which it may be entitled are elected are determined by the state legislatures (Art. I, Sec. 4, U. S. Constitution).

Section 27 of Article IV of the California Constitution is the only California law which relates to the reapportionment of congressional districts. That section specifies the geographical limitations on the formation of congressional districts, but it contains nothing specifying when or how often a re-formation of such districts shall take place.

Therefore, we are aware of nothing in the federal or California law which specifies when the reapportionment of congressional districts must be made. Presumably, it will be made by the Legislature during the present session, although there appears to be no requirement that it be made at this session.

The specific language of Section 6 of Article IV of the California Constitution (quoted above) which specifies when the reapportionment of assembly and senatorial districts shall be made, plus the provisions in the section establishing a Reapportionment Commission to act in the event the Legislature fails to do so in the first session following the Census, are absent from, and have no application to, the provisions of Section 27 of Article IV, which specifies the manner in which congressional districts shall be formed.

It was the restrictive language of Section 6 of Article IV upon which the Supreme Court based its holdings in the *Wheeler* and *Dowell* cases. Although this express language is absent from the provisions relating to congressional districts, it is our opinion that the federal laws relating to reapportionment impliedly prohibit the state legislatures form re-defining the boundaries of the congressional districts therein more often than once each 10 years.

The fundamental basis of the readjustment of the representation in the United States House of Representatives is the population of the states as determined each 10 years in the Census. All reapportionment is based upon these population figures, and these figures remain the basis for legislative and congressional representation for the next 10 years.

Pursuant to its powers under Section 4 of Article I of the United States Constitution, by which it is given the power to make laws relating to the time, places, and manner of election of Representatives, the Congress has enacted from time to time various statutes relating to reapportionment of congressional districts within the states. Section 2a of Title 2 of the United States Code (known as the Permanent Reapportionment Act) presently provides the method of election of Congressmen in each state after a Federal Decennial Census and *until* the state has redefined the boundaries of the congressional districts therein. The fact that the Census is the basis of all reapportionment, that it occurs only once in each 10 years, and that the Peramnent Reapportionment Act provides for the manner of electing Congressmen after each Census and *until* the states are redistricted after each Census, raises a strong implication in our opinion that redistricting is to occur only once, if at all, in each state following each Census. It is difficult to perceive upon what valid premise a state legislature could base a second redistricting, since the official population figures upon which the first would be based would remain the same until the next Decennial Federal Census.

Consequently, we believe it to be probable that the California Supreme Court would reach the same result with respect to congressional districts as it did with regard to assembly and senatorial districts in the *Wheeler* and *Dowell* cases, but upon the

grounds of the implied restriction in the federal law rather than upon any specific provision of the California Constitution.

An opposite holding is of course possible, since no specific prohibition exists.

The Court of Appeals of New York, in the case of *People* vs *Voorhis* (119 N. E. 106), decided in 1918, found nothing express or implied in the law to prohibit the New York Legislature from partially redistricting the congressional districts of the state by statute in 1917 when an entire reapportionment of congressional districts had been made by statute in 1911, based upon the 1910 Census. The court held that the power of the New York Legislature under federal law was not exhausted when it reapportioned in 1911 and that it had a continuing duty to maintain the congressional districts in such a from that they contain as nearly as practicable an equal population. This was at that time a requirement of federal law. There is no longer such a federal requirement.

Concerning the federal law at that time, the New York court stated (at p. 108):

> "The language used in the congressional act indicates as clearly as anything can that Congress in its enactment took into consideration the fact that after a state had once been divided into congressional districts, by reason of shifting population, it might, from time to time, become necessary to redistrict it in order fully to comply with the intent and purpose of the act."

There were two dissenting opinions in the case which pointed out that the theory of reapportionment with every shift in population from year to year did not appear to be contained in either the Federal Constitution or Laws, but that to the contrary the Constitution and federal law appeared to contemplate but one reapportionment based upon the population as ascertained by the Census each 10 years, and that there was no machinery provided for determining population for the purpose of reapportionment more than each 10 years.

We are inclined to believe that the California Supreme Court would reason along the lines of the dissenting opinions of the New York case. Furthermore, there is no longer a requirement in the federal law that congressional districts be as nearly equal in population as possible. We, therefore, conclude that the court would probably hold that congressional districts, like assembly districts, may be reformed but once each 10 years.

We do not believe, however, that such a ruling would prevent the Legislature from amending a reapportionment law at a later date to correct technical defects to errors which might appear in the legal description of boundaries.

Question 2

If a congressional or assembly district is abolished and reconstituted in another area, the new district being given the same number as the abolished district, can the incumbent of the old district (assuming he meets all the residential qualifications of the new district) run on the ballot as the "incumbent" of the new district?

Opinion and Analysis

In our opinion this question should be answered in the affirmative.

Section 6 of Article IV of our State Constitution provides in part that "each assembly district shall choose one Member of Assembly." Therefore, the office which each Assemblyman holds is that of Assemblyman from the district which elected him. The same principle applies to Congressmen (Calif. Const., Art. IV, Sec. 27 and Elec. C. Sec. 10500).

Section 3819 of the Elections Code, which governs the designation which appears under a candidate's name on any ballot provides that the word "incumbent" may be used only if the candidate is a candidate for the same office which he then holds. We, therefore, conclude that an incumbent Congressman or Member of the Legislature may use the word "incumbent" on the ballot only if he is running for re-election in a district which bears the same number as the district from which he was last elected.

Question 3

Where two assembly or congressional districts are consolidated into one, may both of the incumbents of the old districts run in the new district on the ballot as "incumbents"?

Opinion and Analysis

We believe this question should be answered in the negative.

As pointed out above in the analysis of Question No. 2, we believe that an incumbent Congressman or Member of the Legislature may use the word "incumbent" on the ballot only if he is running for re-election in a district which bears the same number as the district from which he was last elected. Under the facts presented by

this question, it would be impossible for one or the other of the incumbents to comply with this requirement, since the new district could not have the same number as both the old districts which it replaced.

This does not mean, however, that a Congressman or Assemblyman who is running in a district, which because of the reformation bears a different number, cannot have printed on the ballot the name of the office which he then holds, since Section 3819 of the Elections Code gives candidates the option of having one of the following designations printed on the ballot following his name:

"* * *

"Members of the Assembly may use either of the following designations: 'Assemblyman, _____ District, California Legislature' or 'Member of the Assembly, _____ District, California Legislature,' or any other appropriate designation, the blanks to be filled with the appropriate district number.

"* * *

"Words designating the profession, vocation or occupation of the candidate which shall not exceed three in number * * *"

Pursuant to the above-quoted provisions, an incumbent Assemblyman who is running in a district with a different number than the district of which he is an incumbent may have the fact that he is an Assemblyman from a given numbered district printed on the ballot. An incumbent Congressman could state his occupation as "Member of Congress," "Representative in Congress," or with other appropriate language, not exceeding three words.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

OPINION No. 5553

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, March 12, 1951

Honorable Laughlin E. Waters
Assembly Chamber

Reapportionment—No. 5553

DEAR MR. WATERS: You have asked three questions relating to the effects of reapportionment which are set forth and discussed separately below:

Question No. 1

In the elections of 1952 which districts will be used? That is, will the elections be held in the new districts adopted at this session or not?

Opinion

In our opinion the elections held in 1952 will be held in the new districts adopted at this session of the Legislature.

Analysis

Reapportionment statutes enacted at this session will become effective 90 days after final adjournment of the Legislature. The new districts will come into existence at that time.

Representatives in Congress are elected for a term of two years (U. S. Const., Art. I, Sec. 2, Cl. 1). They are chosen in even-numbered years (Title 2, U.S.C., Sec. 7) and take office on January 3 in odd-numbered years (U. S. Const., Amend. XX).

Accordingly, the new congressional districts will begin to operate with the election in 1952 of representatives who will take office in 1953.

Terms of office of members of the Legislature are prescribed in Article IV of the California Constitution which provides that the term of office is four years for Senators (Sec. 4) and two years for Assemblymen (Sec. 3). The re-formed districts will thus serve as the basis for the election of Senators and Assemblymen at the 1952 primary and general elections. Since the terms of only half of the Senators expire in 1952, the remaining half will be elected on the basis of the re-formed districts in 1954 and will take office in 1955.

Question No. 2

What districts should be used for the purpose of special elections to fill vacancies occurring prior to the 1952 elections for Congressmen, Assemblymen, and State Senators?

Opinion and Analysis

In our opinion a special election to fill a vacant congressional or State legislative seat should be held in the district as it existed at the time of election of the person who has vacated the office. It was so decided by the California Supreme Court with respect to a congressional vacancy in the case of *Sloan* v. *Donoghue*, 20 Cal. 2d 607.

We see no reason why this same rule should not be applied in the case of Assembly and senatorial seats.

Question No. 3

How are the number of delegates to the party national conventions determined?

Opinion

The number of delegates to the party national conventions are determined by the national rules of each political party.

Analysis

Section 2050 of the Elections Code provides that the chairman of the state central committee of each political party qualified to participate in the presidential primary shall notify the Secretary of State on or before the first day in March immediately preceding the presidential primary as to the number of delegates to represent the State in the next national convention of the party.

Section 2052 provides that if a chairman of a state central committee fails to file a notice of the number of delegates, the Secretary of State shall ascertain the number from the call for the national convention issued by the national committee of the party. Section 2053 requires the Secretary of State in turn to notify the county clerks of the number of delegates to be elected by each political party.

The method by which the national committee of each party determines the number of delegates to its national convention to which each state is entitled is a matter of rule of the particular party, rather than a matter of law.

The national rules of the Democratic Party provide that in the Democratic convention each state is entitled to twice as many delegates as it has presidential electors, plus two delegates at large if it went democratic at the last presidential election

The rules of the Republican Party provide that each state is entitled to four delegates at large; two for each Congressman at large; one for each congressional district having cast at least 1,000 Republican votes, and an additional one if it cast 10,000 Republican votes; and a bonus of three delegates at large if it went Republican at the last presidential election or if it later elected a Republican United States Senator

California is entitled to seven new Congressmen under the reapportionment based upon the 1950 federal census. Accordingly, the State is also entitled to seven additional presidential electors (U. S Const, Art. II, Sec 1).

It would appear, therefore, that the State is entitled to seven new delegates at the next Democratic national convention, pursuant to the present rules of that party

Under the rules of the Republican Party, however, it would appear that California will have no additional delegates to the national convention based upon the number of additional Congressmen to which the State is entitled, since it will be impossible to determine how many new delegates should be authorized until the number of votes in the new congressional districts (which we assume will be formed at this session for the purpose of the 1952 elections) is established. This cannot be ascertained until after the 1952 elections, which will occur subsequent to the national convention. Accordingly, as we interpret the rules of the Republican Party, the number of delegates to the national convention from California will be determined on the basis of the congressional districts of California as they existed before the reapportionment, unless such rules are amended to provide otherwise.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

OPINION No. 5810

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, March 12, 1951

Hon. George J. Hatfield
Senate Chamber

Reapportionment—No. 5810

DEAR SENATOR HATFIELD: You have asked whether Congress has the authority to place restrictions on the manner in which a state is divided into congressional districts

In our opinion it has.

Section 4 of Article I of the United States Constitution provides in part as follows:

> "The times, places, and manner of holding elections for Senators and Representatives, shall be prescribed in each state by the Legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators."

It is well established by decisions of the United States Supreme Court that the above-quoted constitutional provision gives Congress general supervisory power over the subject of elections of Representatives in Congress, including the manner in which a state is divided into congressional districts (*Smiley* v. *Holm*, 285 U. S. 355; *Ex parte Siebold*, 100 U. S 371; *Ex parte Yarbrough*, 110 U. S. 651).

From time to time there have existed requirements in the federal law that congressional districts be as nearly equal as possible in population. There is no such federal law at the present time (*Wood* v. *Broom*, 287 U. S. 1; *Colegrove* v. *Green*, 328 U. S. 549).

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By ROBERT G. HINSHAW, Deputy

OPINION No. 5772

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, March 12, 1951

Honorable Laughlin E Waters
Assembly Chamber

Reapportionment—No. 5772

DEAR MR WATERS.

Question

You have asked whether reapportionment of Congressional and Assembly districts in California must be based upon the federal census figures, and if so, may the Legislature use the preliminary enumeration figures issued by the Federal Census Bureau, or must reapportionment await the final revised totals?

Opinion

In our opinion the population figures used by the Legislature in redefining the Congressional and Assembly districts must be the official census figures issued by the United States Bureau of the Census. We believe the reapportionment may be based upon the official preliminary census figures now available to the Legislature

Analysis

With respect to Assembly districts, the California Constitution provides in Section 6 of Article IV that the census taken under the direction of Congress each 10 years shall be the basis of fixing and adjusting such districts, and that the Legislature shall adjust such districts "at the first regular session following each decennial federal census."

It is clear, therefore, that the federal census figures must be the basis for adjusting Assembly districts.

It is equally clear from the provisions of the Federal Constitution relating to reapportionment (Art. I, Secs. 2 and 4; 14th Amend, Sec. 2), the federal permanent

reapportionment act (U. S. C., Tit 2. Sec. 2a), and Section 27 of Article IV of the California Constitution, that the decennial federal census is the basis for establishment of Congressional districts.

The decennial federal census is, of course, a count and enumeration of the number of people residing in the United States, and within the states and counties thereof. This count was last made in 1950, and the official enumeration by the census bureau has been made, showing the population of the various states, Congressional districts, counties and other political subdivisions The final official population count has been published by the census bureau with respect to the total United States population and the totals for the various states. Preliminary official totals for counties and various other political subdivisions have been published These figures represent the actual number of persons enumerated in each such area, but the census bureau reports that the final population totals may differ from the actual enumeration made therein by a small number because of the allocation to the place of usual residence of persons who were enumerated elsewhere, the inclusion of crews of vessels docked within an area but not included in the preliminary count, and because of other minor revisions These revisions are not expected to cause the actual enumeration totals heretofore published to vary by more than 2 percent in any area These final revised figures may not be available, it is reported, until after July 1 of this year.

We are of the opinion, therefore, that for the purposes of redefining the boundaries of Assembly and Congressional districts pursuant to federal and state law, the official figures of the census bureau heretofore published giving population totals for California counties as actually enumerated by the census bureau may be used by the Legislature, and that reapportionment bills based upon such figures would be constitutional.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW
Deputy

OPINION No. 5852

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, March 21, 1951

Honorable Laughlin E. Waters
Assembly Chamber

Reapportionment—No. 5852

DEAR MR WATERS:

Question

You have requested our opinion as to the legally permissible variation in population among Congressional Districts and among Assembly Districts.

Opinion

It is our opinion that, there being no express federal or state limitations on the size of Congressional Districts, such districts may vary by many tens of thousands, and possibly by several hundreds of thousands in population.

With regard to Assembly Districts, we are of the opinion that considerable variation in population is permissible and that only a disparity so great in a given instance as to be patently in violation of the requirement of the California Constitution that Assembly Districts be "as nearly equal as may be," within the geographical limitations imposed by the Constitution in the formation of such districts, would be held violative of the California Constitution and invalid

Analysis

Congressional Districts

There are at present no federal constitutional or statutory restrictions on the Legislature in the formation of Congressional Districts. Furthermore, the United States Supreme Court held in 1946 that apportionment disputes are political questions and not within the jurisdiction of federal courts (*Colegrove v. Green*, 328 U. S 549). This decision will, of course, not deprive the California courts of jurisdiction to construe provisions of the California Constitution.

The limitations imposed upon the Legislature by the California Constitution in the formation of Congressional Districts are contained in Section 27 of Article IV. Although such districts are based upon population, the Constitution prescribes no minimum or maximum limitations upon the size However, the fact that the districts must be based upon population would tend to indicate that some average optimum figure is to be adopted as the ideal to be reached where possible within the geographical limitations imposed by the Constitution in the drawing of district boundaries.

Although we have no California decisions as guides, the courts of other states have considered the validity of Congressional reapportionment acts on several occasions.

The case of *Richardson* v. *McChesney* ([Ky.] 108 S. W. 322) held that the validity of an act apportioning Congressional seats was a political question. However, the Kentucky Constitution contained no restrictions of any sort upon the legislative power.

In *Brown* v. *Saunders* ([Va.] 166 S E. 105) the court construed provisions in the Virginia Constitution requiring Congressional Districts to be contiguous, compact, and as nearly as possible equal in population .The districts established by the Legislature ranged in population from 336,654 to 183,934. The court held that whether such express Constitutional limitations had been exceeded is a question for judicial determination. The act was held void on the grounds that there had been no bona fide attempt to make districts even approximately equal in population.

The above two cases are representative of the approach to apportionment litigation which is taken by the courts where there is either no restriction of any sort upon the Legislature or where there is an express restriction in the Constitution.

California has neither a complete absence of Constitutional restrictions of the Legislature in apportioning Congressional situations (as was the situation in the *Richardson* case) nor an express requirement that Congressional districts be as nearly equal in population as practicable (as was the situation in the *Brown* case).

There being no express restriction on the California Legislature with respect to population variations among congressional districts, there remains the question whether the California courts would find any restriction of this type implied in the Constitution.

Section 27 of Article IV of our Constitution provides in part:

> "No county, or city and county, shall be divided in forming a congressional district so as to attach one portion of a county, or city and county, to another county, or city and county, except in cases where one county, or city and county, has more population than the ratio required for one or more congressmen; * * *"

The words "ratio required for one or more congressmen" would seem to indicate that the Constitution contemplates some ideal average figure which will be used by the Legislature as the norm in realigning congressional districts.

In the case of *Moran* v. *Bowley* ([Ill.] 179 N.E. 526) the Illinois court said in a dictum that the 1911 congressional apportionment would be invalid because of a state constitutional requirement that elections be "free and equal" The court stated that no election could be "equal" when the districts varied in population from 541,000 to 158,000.

However, later decisions in Illinois indicate that the dictum of the *Moran* case is not followed in that state. The court noted in *Daly* v. *County of Madison* ([Ill] 38 N. E. 2d, 160), when construing the 1940 reapportionment, that it found no limitations in the Illinois Constitution. It did not refer to the "free and equal election" provisions. The reapportionment act of 1940 was upheld on the grounds that absolute equality in population cannot be attained. The districts varied from 112.116 to 914,053 in population.

From the foregoing it will be seen that it cannot be stated with any degree of certainty that the California courts would or would not imply from the language of Section 27 of Article IV of our Constitution a requirement that congressional districts must be as nearly equal as practicable in population within the other restrictions placed upon the Legislature in drawing the lines.

It can be stated with little room for doubt, however, that even should such a restriction be implied, the permissible variation in population would run well into the tens, if not the hundreds, of thousands.

Assembly Districts

Section 6 of Article IV of the California Constitution expressly requires Assembly Districts to be "as nearly equal in population as may be"

Similar restrictions are imposed upon the legislatures of many of the other states by their constitutions.

Although we have no judicial consideration of the above provision in our own Constitution, there have been many decisions in other states construing such limitations.

The majority view is that the validity of an apportionment act so controlled by the Constitution does not involve a political question, and is therefore subject to the jurisdiction of the courts. A reapportionment act carries with it a presumption of constitutionality, as does any other act of the Legislature, and it therefore will be stricken down by the courts only when it clearly appears that in the formation of any district the requirement of compactness of territory and equality of population has been wholly ignored or has not been considered or applied at all to any extent. (*People ex rel Woodyatt v. Thompson*, 40 N.E. 307; *Meighen v. Weatherill*, 147 N.W. 105; 2 A.L.R. 1337, 1340).

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By ROBERT G. HINSHAW, Deputy

OPINION No. 5959

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, March 21, 1951

Honorable Laughlin E. Waters
Assembly Chamber

Reapportionment—No. 5959

DEAR MR. WATERS:

Question

You have asked the following two questions relating to the order in which the names of candidates for Assemblyman and Congressman will be printed upon the ballot in elections held in the new assembly and congressional districts which will be established by the Legislature at this session.

1. In a new assembly district with different boundaries than the old district of the name number, in what order will the names of the candidates be printed on the ballot?

2. In a new congressional district which does not have the same number as any previous district, in what order will the names be printed?

Opinion

1. With respect to a new assembly district, the name of the incumbent will be printed first on the ballot. The incumbent will be that Member of the Assembly who is running for re-election in a district which bears the same number as the district from which he was last elected. Following the incumbent will appear the names of all other candidates in alphabetical order.

2. In a new congressional district which has a number different from that of any previous district, the names of candidates will be arranged in alphabetical order for that assembly district which is lowest in numerical order of any assembly district in which the candidates are to be voted on. Thereafter, for each succeeding assembly district in which the candidates are to be voted on, the name appearing first for that office in the last preceding district will be placed last, the order of the other names remaining unchanged.

Analysis

Section 3802 of the Elections Code provides that the name of the incumbent shall appear first upon the ballot in a list of all candidates for any office.

Section 6 of Article IV of the California Constitution provides in part that "each assembly district shall choose one Member of Assembly." Therefore, for the purpose of election, the office which each assemblyman holds is that of assemblyman from the district which elected him. The same principle applies to congressmen (Calif. Const. Art. IV, Sec. 27 and Elec. C. Sec. 10500).

Section 3819 of the Elections Code which governs the designation which appears under a candidates' name on the ballot provides that the word "incumbent" may be used only if the candidate is a candidate for the same office which he then holds. We, therefore, conclude that an incumbent congressman or Member of the Legislature may use the word "incumbent" on the ballot only if he is running for re-election in a district which bears the same number as the district from which he was last elected.

Section 3809 of the Elections Code provides that for the offices of State Senator and Assemblyman the names of all candidates other than the incumbents shall be placed on the ballot in alphabetical order.

Of course, in the seven new congressional districts to which California is entitled, there can be no incumbent. Therefore, Section 3806 of the Elections Code will control the position of the names on the ballot of all candidates in each of the new congressional districts. This section provides as follows:

> "If the office is that of Representative in Congress, or is an office the candidates for nomination to which are to be voted on in more than one county, but not throughout the entire State, except the office of State Senator or Assemblyman, the Secretary of State shall arrange the names of all candidates other than incumbents for that office in alphabetical order for that assembly district which is lowest in numerical order of any Assembly district in which the candidates are to be voted on. Thereafter for each succeeding assembly district in which the candidates are to be voted on, the name appearing first for that office in the last preceding district shall be placed last, the order of the other names remaining unchanged."

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By ROBERT G. HINSHAW, Deputy

OPINION No. 5773

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, March 22, 1951

Honorable Laughlin E. Waters
Assembly Chamber

Reapportionment—No. 5773

DEAR MR. WATERS: You have asked us to define the legal nature of a State Assemblyman; that is, whether he is a state officer, constitutional officer, or otherwise, and does he represent the entire State while in the Legislature, or only a given area.

In the case of *Rich* v *Industrial Accident Commission* (Jan. 1940), 36 Cal. App. 2d 628, the question was whether a State Senator could receive an award from the Industrial Accident Commission for injuries received in an automobile accident while en route from the funeral of a deceased fellow Senator. The injured Senator had been appointed by the Lieutenant Governor to be a member of a special committee to attend the funeral on behalf of the Senate.

In setting aside the award which granted nothing to the injured Senator, the court stated:

> "That members of the Legislature are considered officers of the State during their entire term of office is evidenced by certain constitutional limitations such as accepting other office. (Article IV, Section 19) and their manner of payment of salary (Article IV, Section 23)."

The California District Court of Appeal case of *Wilson* v. *Waters* (June 1941), 112 Pac. 2d 965, established that a judge of the municipal court of the City of Los Angeles was a constitutional officer of the State of California and therefore could not have his salary subject to garnishment. In that case it is stated:

> "* * * Constitutional officers are persons who duly occupy by appointment or election constitutional offices * * * In addition to the foregoing authorities it is interesting to note that as early as 1897 our Supreme Court stated in *Church* v. *Colgan*, 117 Cal. 685, 687, 50 p. 12, 'There is no such office as a constitutional judge as contradistinguished from a legislative judge. Both are provided for by the constitution, and in that sense are constitutional officers.'"

American Jurisprudence, in defining constitutional offices, states as follows:

> "A constitutional office is one created by the United States Constitution or by a state Constitution, as distinguished from an office created by statute, or from an office which, like that of notary public, has existed in nearly all countries for centuries *In a certain sense, an office may be considered a constitutional office when the appointment or election thereto is provided for in the Constitution*" (Emphasis added.)

It states the following in defining State offices:

> "We are concerned here with the question as to what constitutes a particular office a state office and its incumbent a state officer *A state officer has*

been defined as one whose field for the exercise of his jurisdiction, duties, and powers is coextensive with the limits of the State, and extends to every part of it. But in a more enlarged legal sense, he is one who receives his authority under the laws of the State, and whose duties concern the State at large or the general public, even though they may be exercised in a territory not coextensive with the State. The powers reposed in a state officer have, of necessity, some connection with the legislative, judicial, or executive departments of the State Government. *The following officers, among others, have been adjudged to be state officers: a representative in the State Legislature;* a county commissioner; a member of a state board of legal examiners; a state veterinarian; a tax commissioner; a notary public; and other officers." (42 Am. Jur., Secs. 18, 20, pp. 894, 895, 896.) (Emphasis added.)

It appears, therefore, that an Assemblyman qualifies as a constitutional officer inasmuch as his office is created and limited by the Constitution; however, he also acts as a state officer since his jurisdiction, duties, and powers are coextensive with the limits of the State and extend to every part of it.

In our search to determine whether a State Assemblyman represents his district or the entire State, we can find no California cases that have adjudicated this point. However, in the Delaware case of *State* v. *Corley*, 172 A. 415, when the court was deciding whether a citizen and taxpayer was qualified to institute proceedings to compel the Lieutenant Governor to issue writs of election for the purpose of filling three vacancies alleged to exist in the State Senate, the court stated:

"While a senaor must be elected from a particular district, yet, upon his election and qualification he becomes a senator of the State of Delaware, and his acts, as such, affect the entire state."

That a State Assemblyman represents the entire State, is based on the fact that a State Constitution is an all-inclusive state document; though an Assemblyman represents his district, that is based on the practical logic of having to represent an area from which he is elected As has been established in our federal cases *McPherson* v. *Blacker*, 13 Sup. Ct. 3, 36 L. Ed. 869), the district rather than the state-at-large method of electing a congressman is merely a method of convenience for the electorate.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By HOWARD P. WELCH
Deputy

OPINION No. 6272

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, March 24, 1951

Honorable Ralph R. Cloyed
Assembly Chamber

Reapportionment—No. 6272

Question

DEAR MR. CLOYED: You have directed our attention to the composition of the Thirtieth Congressional District as proposed in Assembly Bill No 42 as amended in Assembly March 22, 1951. The Thirtieth Congressional District as proposed in the bill would consist of all that portion of the County of San Diego comprising the Seventy-eighth, Seventy-ninth and Eightieth Assembly Districts as said assembly districts are proposed in Assembly Bill No. 41 as amended in Assembly March 22, 1951. You state that it does not appear to you from the descriptions of the proposed Seventy-eighth, Seventy-ninth and Eightieth Assembly Districts contained in Assembly Bill No 41 that either the Seventy-eighth or Seventy-ninth Assembly Districts would be in geographical contact at any point with the Eightieth Assembly District.

You ask whether, if this be true, the Thirtieth Congressional District as proposed in Assembly Bill No. 42 would be invalid as violative of the California Constitution.

Opinion

If neither the Seventy-eighth nor the Seventy-ninth Assembly Districts as proposed in Assembly Bill No. 41 are in geographical contact with the Eightieth Assembly District as proposed in that bill, we are of the opinion that the Thirtieth Congressional

District as proposed in Assembly Bill No. 42, as amended in Assembly March 22, 1951, would be unconstitutional.

Analysis

Section 27 of Article IV of the California Constitution provides in part as follows: "In dividing a county, or city and county, into congressional districts no assembly district shall be divided so as to form a part of more than one congressional district, and every such congressional district shall be composed of compact contiguous assembly districts."

The word "contiguous" has been construed by the courts in many instances and in many contexts. With respect to its use in constitutional provisions relating to the apportionment of legislative districts, the weight of judicial authority is to the effect that the word means an actual contact or touching. (See cases collected in 9 Words and Phrases at page 90.)

Assembly Bill No. 42 as amended in Assembly March 22, 1951, would divide the County of San Diego into two congressional districts. One such district would be created by attaching the Seventy-seventh Assembly District as proposed in Assembly Bill No. 41 as amended, to the County of Orange, to which the Seventy-seventh Assembly District would be contiguous. The other congressional district would be formed of the Seventy-eighth, Seventy-ninth and Eightieth Assembly Districts. This would be the Thirtieth Congressional District.

From our study of the wording of Assembly Bill No. 41, it appears clear that the Seventy-eighth and Seventy-ninth Assembly Districts as proposed therein are contiguous. The Seventy-eighth Assembly District is clearly not contiguous with the Eightieth Assembly District. Therefore, unless the Seventy-ninth Assembly District is contiguous with the Eightieth Assembly District, the Thirtieth Congressional District as proposed in Assembly Bill No. 42 as amended in Assembly March 22, 1951, would appear to violate the above quoted constitutional restriction.

We are unable to ascertain from a reading of the descriptions of the Seventy-seventh, Seventy-ninth and Eightieth Assembly Districts contained in Assembly Bill No. 41 and from a perusal of the maps available to us of the San Diego-National City area whether or not the Seventy-ninth Assembly District is contiguous to the Eightieth Assembly District. More specifically, in the absence of a detailed knowledge of the area concerned, we are unable to ascertain whether or not the southernmost portion of the Seventy-ninth Assembly District as described in Assembly Bill No. 41 is in physical contact with the northernmost boundary of the Eightieth Assembly District as that district is described in the bill. The area of doubt is that territory lying south of National City in the Sweetwater Precincts.

However, if, as you state, neither the Seventy-eighth nor the Seventy-ninth Assembly Districts are at any point in physical contact with the Eightieth Assembly District as said districts are defined in Assembly Bill No. 41, the conclusion follows that the Thirtieth Congressional District as proposed in Assembly Bill No. 42, would be in violation of Section 27 of Article IV of the California Constitution and consequently invalid.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW
Deputy

SACRAMENTO 2, CALIFORNIA, March 26, 1951

Honorable Ralph R. Cloyed
Assembly Chamber

Reapportionment—No. 6272

DEAR MR. CLOYED: In our opinion to you of March 25, 1950 (Reapportionment No. 6272), we stated that if the 78th, 79th, and 80th Assembly Districts as proposed in Assembly Bill No. 41 were not contiguous (i.e., did not actually touch each other), the 30th Congressional District as proposed in Assembly Bill No. 42 would be unconstitutional, since it is composed of the aforementioned assembly districts, and since the Constitution requires such a congressional district to be composed of contiguous Assembly districts.

We stated in our opinion that we were unable to ascertain from the legal description of the districts and the maps available to us whether or not the three assembly districts were contiguous.

Further investigation into the problem has disclosed that the three assembly districts in question are in geographic contact and are therefore contiguous. This is

due to the fact that San Diego Bay is included within the 80th Assembly District as that district is defined in Assembly Bill No. 41. The bill describes the 80th Assembly District as "all that portion of the County of San Diego not included within the Seventy-seventh, Seventy-eighth, and Seventy-ninth Assembly Districts."

Since writing the opinion referred to above, it has come to our attention that San Diego Bay is a part of the County of San Diego (Gov. C. 23137). Therefore, San Diego Bay is a part of the 80th Assembly District as proposed and described in Assembly Bill No. 41. This, in turn, would cause both the 78th and 79th Assembly Districts to be contiguous to the 80th Assembly District, since actual physical joinder is present.

Accordingly, it now appears that the 30th Congressional District as proposed in Assembly Bill No. 42 would be composed of contiguous assembly districts as required by Section 27 of Article IV of the California Constitution and would therefore be valid.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT C. HINSHAW
Deputy

OPINION No. 6989

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA
April 11, 1951

Honorable Laughlin E. Waters
Assembly Chamber

Reapportionment—No. 6989

DEAR MR WATERS:

Question

You have asked two questions relating to reapportionment of congressional districts

1 If a proper referendum petition is filed with the Secretary of State within 90 days after final adjournment of the Legislature asking that an act of the Legislature reapportioning the congressional districts of the State be submitted to the electors for their approval or rejection, would the referendum appear on the ballot at the November, 1952, general election, or would it be on the ballot at an intervening special election?

2. If at the referendum election the electors reject the act of the Legislature reapportioning the congressional districts of the State, how will congressmen be elected?

Opinion

1 The referendum would be submitted to the electors at the November, 1952, general election unless the Governor should call a special election for this purpose prior thereto.

2 It is our opinion that if an act of the Legislature reapportioning the congressional districts of the State should be presented to the people for approval or rejection at the November, 1952, general election, congressmen from this State would be elected at that election from the presently existing congressional districts, with seven additional congressmen elected from the State at large. If the question should be presented to the people at a prior special election called for that purpose by the Governor, and the act is rejected by the people, congressmen would be elected from the presently existing districts, with seven additional congressmen elected from the State at large, unless prior to the November, 1952, general election a reapportionment act establishing new congressional districts, either initiated by the people or enacted by the Legislature at a special session, should become effective prior to that general election.

Analysis

In Section 1 of Article IV of the California Constitution it is provided that upon presentation to the Secretary of State within 90 days after final adjournment of the Legislature of a petition certified to have been signed by qualified electors equal in number to 5 percent of all the votes cast for all candidates for Governor at the last preceding general election at which a Governor was elected, asking that any act or section or part of any act of the Legislature be submitted to the electors for approval or rejection, the Secretary of State shall submit such act or part of such act to the electors for approval or rejection at the next succeeding general election occurring at

any time subsequent to 30 days after the filing of the petition or at any special election which may be called by the Governor, in his discretion, prior to such regular election, and that no such act or part thereof shall go into effect until and unless approved by a majority of the qualified electors voting thereon. It is further provided that if a referendum petition is filed against any section or any part of any act, the remainder of that act shall not be delayed from going into effect.

From the above constitutional provisions, it is clear that if a proper petition is filed requesting presentation to the people for approval or rejection of an act of the present session of the Legislature reapportioning the congressional districts of the State, the question must be presented to the people on the ballot at the November, 1952, general election, unless the Governor should call a special election prior thereto for the submission of the question to the electors

It is also clear from the above constitutional provisions that the filing of a proper referendum petition prevents the act from taking effect until it is approved by the electors at the election Section 1 of Article IV also provides that if an act so submitted to the people is approved by a majority of the votes cast thereon, it shall take effect five days after the date of the official declaration of the vote by the Secretary of State. Therefore, if it be assumed that the question is presented to the people on the November, 1952, general election ballot, it follows that the congressmen who would be elected on the same ballot would of necessity be elected from the presently existing congressional districts, since the reapportionment act of the Legislature relating to congressional districts would have no force or effect at that time. From this it would follow that Section 2a of Title 2 of the United States Code would become operative This section provides that until a state is redistricted in the manner provided by the law thereof after the federal census, and if there is an increase in the number of representatives in Congress to which the state is entitled, the additional representatives shall be elected from the state at large and the other representatives from the districts then prescribed by the law of such state. Pursuant to this provisions of federal law, the congressmen to be elected on the November, 1952, ballot would be elected from the presently existing districts, with the seven new congressmen to which the State is entitled being elected from the State at large.

If it be assumed that a special referendum election should be called by the Governor prior to the November, 1952, general election, and that the act is rejected by the people, then, of course, it would never take effect and Section 2a of Title 2 of the United States Code would apply at the November, 1952, general election in the same manner as described above It is conceivable, however, that a new act reapportioning the congressional representation of the State would be initiated by the people or enacted by the Legislature to become effective within a sufficient time prior to the 1952 general election so that at that election representatives to Congress would be elected from the new districts established by such an act.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW
Deputy

OPINION No. 7348

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, May 31, 1951

Honorable Laughlin E. Waters
Assembly Chamber

Reapportionment Referendum—No. 7348

Question

DEAR MR. WATERS: You have asked the following two questions relating to reapportionment:

1. If acts of this Legislature creating assembly and congressional districts based upon the 1950 Federal Census are rejected by the electors at a referendum election, could the Legislature at its next session enact new statutes creating such districts?

2 If the act of this session of the Legislature establishing new congressional districts is rejected by the electors in a referendum, will the seven new Congressmen to which the State is entitled under the 1950 census be elected at large at each congressional election for the next 10 years?

Opinion

1. In our opinion it could.

2. In our opinion the seven new Congressmen would be elected at large at each congressional election until such time as districts are formed from which to elect such Congressmen.

Analysis

The Constitution of California and the United States Constitution clearly contemplate that the Legislature shall redistrict the State for the purpose of election of legislative representatives following each decennial Federal Census (Art. IV, Secs. 6 and 27, Cal. Const.; Art. I, Secs. 2 and 4, and 14th Amendment Sec. 2, U S. Const).

The courts of this State have said that the Legislature may create assembly districts but once following each Federal Census, and that once the districts are created they may not be altered until after the next Federal Census. (*Dowell* v. *McLees*, 199 Cal. 144; and *Wheeler* v. *Herbert*, 152 Cal. 224.) The theory of the cited cases is that the legislative power to form legislative districts can be exercised but once during the period between one United States Census and the succeeding one. We believe the same reasoning would apply to the creation of congressional districts.

An attempt by the Legislature to modify the boundaries of legislative districts which have become effective through acts of the Legislature following a Federal Census is, in our opinion, an entirely different matter from an attempt by the Legislature to create legislative districts following the failure of the previous attempt to create such districts due to the rejection of the acts by the electors at a referendum election. In this latter situation no legislative districts have been formed by the Legislature based upon the latest Federal Census, since the acts adopted by the Legislature would be a complete nullity due to the operation of the referendum procedure.

Therefore, we do not believe that the *Dowell* or *Wheeler* cases would prohibit the Legislature from creating new assembly or congressional districts based upon the 1950 Federal Census at a session occurring subsequent to a referendum election at which was rejected the previous attempt of the Legislature to create such districts

Section 6 of Article IV of the California Constitution provides that "should the Legislature at the first regular session * * * following any decennial Federal Census fail to reapportion the assembly and senatorial districts, a Reapportionment Commission * * * shall forthwith apportion such districts * * *."

It is clear that the above-quoted portion of the Constitution has no bearing upon the creation of congressional districts. However, some question might arise as to whether this provision was intended to apply to a situation in which the Legislature has enacted a statute reapportioning the assembly districts of the State and which would have become law but for its rejection by the electors at a referendum election.

We do not believe the quoted provision applies in such a situation. The apparent purpose of the provision is to prevent the Legislature from failing to act to redistrict the State as soon as possible after each Federal Census. It is clear that if the Legislature had failed to enact a statute establishing new assembly districts at this session, the Reapportionment Commission would be required to act. The Legislature having acted, however, it is our opinion that the Reapportionment Commission is neither required nor authorized to take any action in the event that the act of the Legislature of this session creating new assembly districts is rejected by the electors at a referendum election.

With respect to your second question, Section 2a of Title 2 of the United States Code provides that until a state is redistricted in the manner provided by the law thereof after a Federal Census, and if there is an increase in the number of representatives in Congress to which the state is entitled under the census, the additional representatives "shall be elected from the state at large and the other representatives from the districts then prescribed by the law of such state."

The effect of the filing of a referendum petition with the Secretary of the State directed against the act of the Legislature creating congressional districts would be to prevent that act from having any effect until and unless it should be approved by the electors. From this it would follow that Section 2a of Title 2 of the United States Code would become operative and apply at the next congressional elections, and at all succeeding congressional elections until such time as seven new congressional districts would be created by the Legislature or by the people through the initiative process. Therefore, until such time, 23 Congressmen would be elected at each congressional election from the congressional districts presently defined in Section 470 of the

Government Code and the seven additional Congressmen would be elected from the State at large.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

OPINION No. 6685

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, June 6, 1951

Honorable Laughlin E. Waters
Assembly Chamber

Reapportionment—State and County Central Committeemen—No. 6685

DEAR MR. WATERS: You have asked us what effect the reapportionment acts of this session of the Legislature will have upon state and county central committeemen of the various political parties.

Section 2802 of the Elections Code provides that the state central committee of each party shall consist of:

(a) All delegates to the state convention.
(b) The chairman of each county central committee of the party.
(c) Three members appointed by each delegate to the state convention.

Section 2791 of the Elections Code provides that the state convention of each political party shall consist of one delegate for each of the following elective officials: Governor, Lieutenant Governor, Treasurer, Controller, Attorney General, Secretary of State, all members of the State Board of Equalization, all Senators and Representatives in Congress from California, and all members of the State Legislature.

In Section 2792 of the Elections Code it is provided that each of the above listed officers who was nominated and elected as a candidate of the party and whose term of office extends beyond the eighth day of January next following the primary election, or the appointee or successor to fill a vacancy in such office, is known as a "hold-over delegate." It is also provided that each candidate of the party in whose behalf nomination papers were filed and who was nominated at the primary election by that party is known as a "nominee delegate." The remaining delegates consist of one delegate appointed for each of the above listed officers not represented by a "hold-over delegate" or a "nominee delegate." These latter delegates are chosen in the manner provided for filling vacancies in the state convention and are known as "appointive delegates."

Referring back to Section 2802 of the Elections Code, it will be noted that all delegates to the state convention are members of the state central committee. Referring again to Section 2792 of the Elections Code, it is apparent that the only delegates to the state convention who will be affected by the reapportionment acts of this session of the Legislature will be those delegates known as "nominee delegates," since these are delegates who have been nominated in the primary election immediately preceding the holding of the state convention (which is held on the first Saturday in August, between the primary and general elections). This is due to the fact that the next primary elections are the first elections at which the reapportionment acts will be operative Officers elected from legislative districts whose terms of office extend beyond the eighth day of January next following the primary election will continue to represent the districts from which they were last elected.

Again referring to Section 2802 of the Elections Code, it will be noted that the chairman of each county central committee of the party is a member of the state central committee. In counties in which county central committee members are elected from assembly districts, and are elected at the primary elections, the reapportionment acts of this session of the Legislature will determine the districts from which such county central committee members are elected. The chairmen of some county central committees may thus be county committee members elected from the new districts established by the reapportionment acts of this session of the Legislature. Therefore, the reapportionment acts would have an indirect effect upon the membership of the state central committees insofar as such membership is composed of chairmen of the various county central committees.

Section 2802 of the Elections Code also provides, as noted above, that three persons appointed by each delegate to the state convention are members of the state

central committee. Since delegates to the state convention who are elected from legislative districts will presumably appoint persons from their districts as members of the state central committee, it would appear that the reapportionment acts of this session of the Legislature will also have an indirect effect upon the appointment of such persons, at least insofar as the appointment of such persons by "nominee delegates" is concerned.

The reapportionment acts of this session of the Legislature will also have an effect on the election of members of county central committees in those counties in which such members are elected from assembly districts. At the next primary elections at which members of such county central committees are elected, candidates for such offices will, of course, be required to run in the new assembly districts created by this session of the Legislature.

Thus, county central committeemen who are running for reelection will, in our opinion, be entitled to use the word "incumbent" after their names on the ballot only if the candidate is a candidate for the same office which he then holds (Elec C, Sec. 3819). A candidate who is running for "the same office which he then holds," as required by Section 3819 of the Elections Code, would, we believe, only be a candidate who is running for reelection in a district which bears the same number as the district from which he was last elected.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

OPINION No. 8541

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, June 10, 1951

Honorable Laughlin E. Waters
Assembly Chamber

Reapportionment—No. 8541

DEAR MR. WATERS: You have asked us whether a Congressman represents his entire State in Congress, and not merely his district, the district being only a device for purposes of election

In the case of *McPherson* v. *Blacker*, 146 U. S. 1, the issue was whether a Michigan statute providing for the election of presidential electors by districts was valid.

In sustaining the validity of the Michigan statute, the court supported its argument by describing the method by which the various states elected Members of Congress under Article I, Section 4, of the Federal Constitution whereunder "the times, places and manner of holding elections for Senators and Representatives shall be prescribed in each state by the Legislature thereof; * * * " The court stated as follows:

> " * * * the state legislatures, prior to 1842, in prescribing the times, places and manner of holding elections for Representatives, had usually apportioned the state into districts and assigned to each a Representative; and by Act of Congress of June 25, 1842 (carried forward as Sec 23 of the Revised Statutes), it was provided that where a state was entitled to more than one Representative the election should be by districts. *It has never been doubted that Representatives in Congress thus chosen represented the entire people of the state acting their sovereign capacity*" (Emphasis added)

Moreover, the case points out that a Congressman, though elected from a district of the state, represents his entire state, in the choosing of the President by the House of Representatives in case of a failure in the election of a President by the people. The following language was used:

> "By original clause three of section one of article II and by the 12th Amendment which superseded that clause, in case of a failure in the election of President by the people, the House of Representatives is to choose the President; and 'the vote shall be taken by states, the representation from each state having one vote.' *The state acts as a unit, and its vote is given as a unit, but that vote is arrived at*

through the votes of its representatives in Congress elected by districts" (Emphasis added.)

Our search failed to disclose any cases at variance with the holding in the instant case.

Very truly yours,

RALPH N KLEPS
Legislative Counsel
By HOWARD P. WELCH
Deputy

OPINION No. 9588

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, JUNE 11, 1951

Honorable Laughlin E. Waters
Assembly Chamber

Reapportionment—H.R. 2648—(Celler)—No. 9588

DEAR MR. WATERS: You have asked us to analyze H.R. 2648, as introduced in the United States House of Representatives by Representative Celler, relating to congressional districts, to determine what effect that bill, if enacted, would have upon the act of this session of the California Legislature dividing the State into congressional districts.

H.R. 2648 would amend Section 2a of Title 2 of the United States Code (46 Stat. 26, as amended), relating to reapportionment of congressional representatives. The bill would delete from the section those present provisions which permit the election of representatives at large, and would substitute a provision which would read as follows:

> "(c) Each state entitled in the Eighty-third Congress and each Congress thereafter to more than one Representative under the apportionment provided in subsection (a) of this section shall establish for each Representative a district composed of contiguous and compact territory, and no district so established shall vary more than 15 per centum of the number obtained by dividing the total population of such state, as established in the last decennial census, by the number of Representatives apportioned under subsection (a) of this section.
>
> "(d) Any Representative elected from a district which does not conform to the requirements set forth in subsection (c) of this section shall be denied his seat in the House of Representatives and the Clerk of the House shall refuse his credentials."

The present Congress is the eighty-second, therefore the provisions of the bill, if enacted, would be effective commencing with the next, or eighty-third, session of the Congress, which will convene in 1953.

The bill would require that congressional districts be composed of "contiguous and compact territory". There is no such requirement presently in the federal law. The bill would further require that no congressional district shall vary more than 15 percent of the number obtained by dividing the total population of the state, as established in the last federal census, by the number of representatives to which the state is entitled. California is now entitled to 30 representatives in Congress. The total population of California as established by the 1950 federal census is 10,586,223 The number obtained by dividing this figure by 30 gives a base figure of 352,887. Allowing a 15 percent variation from this base figure, the result is that the minimum for each congressional district would be 299,954 and the maximum would be 405,820. Approximately one-half of the congressional districts established by statute at this session of the Legislature would be either below the minimum or above the maximum permissible population variations.

It will be noted that the bill further provides that any representative elected from a district which does not conform to the requirements set forth above would be denied his seat in the House of Representatives and refused his credentials. However, Section 5 of Article I of the United States Constitution provides that each house shall be the judge of the elections, returns and qualifications of its own members. Under this constitutional provision, the House of Representatives may determine in each individual case whether a given individual who has been certified by the proper authorities of his state as having been elected to represent that state in the Congress has been validly elected and is qualified as a member of Congress. It follows from this, in our

opinion, that should the House of Representatives of the eighty-third Congress determine in a given instance that an individual elected from a congressional district in any state which did not comply with the population requirements set forth by the bill in question was duly elected and qualified as a member of Congress, that person could be seated as a member irrespective of the provisions of the bill.

Therefore, we believe that the actual effect of the enactment of the bill in question would be to declare the policy of the House of Representatives in so far as the question of the proper election and qualifications of a candidate for the office of Representative in Congress is concerned. In so far as the provisions of such a statute would be followed by the House in determining the qualifications of its members, the result would be that approximately one-half of the candidates elected from the congressional districts established at this session of the Legislature would not be seated as Members of the House of Representatives and would be refused credentials of office.

The bill in question is based upon the provisions of Section 4 of Article I of the United States Constitution which authorizes Congress to make laws relating to the times, places, and manner of holding elections for Representatives. If enacted, it would therefore be constitutional, in our opinion. Moreover, it would supersede any conflicting provisions of the Constitution or laws of California, pursuant to Section 2 of Article VI of the United States Constitution, which provides that the Constitution of the United States and the federal laws made in pursuance thereof are the supreme law of the land, anything in the state laws or constitutions to the contrary notwithstanding.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW
Deputy

82d Congress—1st Session

H. R. 2648

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 14, 1951

MR. CELLER introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To require the establishment of congressional districts composed of contiguous and compact territories in the election of Representatives, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That section 22 of the Act of June 18, 1929, entitled, "An Act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives", as amended, is hereby amended to read as follows:

"SEC. 22. (a) On the first day, or within one week thereafter, of the first regular session of the Eighty-second Congress and of each fifth Congress thereafter the President shall transmit to the Congress a statement showing the whole number of persons in each State, excluding Indians not taxed, as ascertained under the seventeenth and each subsequent decennial census of the population, and the number of Representatives to which each State would be entitled under an apportionment of the then existing number of Representatives by the method known as the method of equal proportions, no State to receive less than one Member.

"(b) Each State shall be entitled, in the Eighty-third Congress and in each Congress thereafter until the taking effect of a reapportionment under this section or subsequent statute, to the number of Representatives shown in the statement required by subsection (a) of this section, no State to receive less than one Member. It shall be the duty of the Clerk of the House of Representatives, within fifteen calendar days after the receipt of such statement, to send to the executive of each State a certificate of the number of Representatives to which such State is entitled under this section. In case of a vacancy in the office of Clerk, or of his absence or inability to discharge this duty, then such duty shall devolve upon the Sergeant at Arms of the House of Representatives; and in case of vacancies in the offices of both the Clerk and the Sergeant at Arms, or the absence or inability of both to act, such duty shall devolve upon the Doorkeeper of the House of Representatives.

"(c) Each State entitled in the Eighty-third Congress and each Congress thereafter to more than one Representative under the apportionment provided in subsection (a) *of this section shall establish for each Representative a district composed of contiguous and compact territory, and no district so established shall vary more than 15 per centum of the number obtained by dividing the total population of such State, as established in the last decennial census, by the number of Representatives apportioned under subsection (a) of this section.*

"(d) Any Representative elected from a district which does not conform to the requirements set forth in subsection (c) of this section shall be denied his seat in the House of Representatives and the Clerk of the House shall refuse his credentials."

REPORT ON ASSEMBLY BILL No. 41—WATERS AND CONRAD

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL

May 5, 1951

Summary: Repeals and adds Sec. 491, Gov. C., re division of the State into assembly districts.

Form: Approved. *Title:* Approved.

Constitutionality: Approved.

Analysis

This bill repeals the existing section (491) of the Government Code which defines the 80 assembly districts of the State.

The bill adds a new section (491) to the Government Code which, pursuant to Section 6 of Article IV of the California Constitution, divides the State into 80 assembly districts, based upon the population of the State as declared by the 1950 federal census.

Comment

The Eleventh Assembly District is defined on page 4 of the bill as follows:

> "11. All that portion of the County of Contra Costa included in and comprising the first supervisorial district as the same existed on January 1, 1951, with the exception of South Berkeley Park Precinct and Kensington Precincts 1 to 8, inclusive, shall constitute the Eleventh Assembly District."

We are informed by the County Clerk of Contra Costa County that the area designated on his official master precinct map for the County of Contra Costa as "South Berkeley Park Precinct" is in actuality the area designated by ordinance of the county board of supervisors as "Berkeley Park Precinct No. 1" and "Berkeley Park Precinct No. 2."

This error in the precinct map is reflected in the bill. However, since the area designated on the County Clerk's official map as South Berkeley Park Precinct is, and always has been, the same area as defined by metes and bounds by county ordinance as Berkeley Park Precincts Nos. 1 and 2, we are of the opinion that the area intended by the words "South Berkeley Park Precinct" contained in the bill can be readily ascertained.

We therefore believe that the description of the Eleventh Assembly District is legally valid.

RALPH N KLEPS
Legislative Counsel
By ROBERT G. HINSHAW
Deputy

REPORT ON ASSEMBLY BILL No. 42—WATERS AND CONRAD

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL

May 2, 1951

Summary: Repeals and adds Sec. 470, Gov. C., re division of the State into thirty congressional districts.

Form: Approved. *Title:* Approved.

Constitutionality: Approved.

Analysis

This bill repeals the present Section 470 of the Government Code which defines the 27 congressional districts of the State on the basis of the 1940 federal census.

The bill adds a new Section 470 to the Government Code which, pursuant to Section 27 of Article IV of the California Constitution, divides the State into 30 congressional districts on the basis of the 1950 federal census for the election of the 30 Representatives in Congress which the State will be entitled to elect at the congressional elections of 1952.

Comment

Several of the congressional districts created by this bill are defined to consist of various assembly districts. The assembly districts referred to in the bill are those districts created and defined by Assembly Bill No. 41, now in enrollment.

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW
Deputy

REPORT ON ASSEMBLY BILL No. 141—WATERS AND CONRAD

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL

May 3, 1951

Summary: Amends Section 480, Government Code, re division of the State into senatorial districts.

Removes Alpine County from Ninth Senatorial District and places it in Twenty-eighth Senatorial District.

Removes San Benito County from Twenty-fifth Senatorial District and places it in Twenty-third Senatorial District.

Form: Approved. *Title:* Approved.

Constitutionality: Approved.

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW
Deputy

U. S. Department of Commerce—Bureau of the Census
1950 CENSUS OF POPULATION
Advance Reports

March 30, 1951 Washington 25, D. C. Series PC-8, No. 4A

POPULATION OF CALIFORNIA, BY COUNTIES
APRIL 1, 1950

Final population figures from the 1950 Census of Population for counties in California were released today by Roy V. Peel, Director, Bureau of the Census, Department of Commerce. The figures shown in the table below supersede those which appear in Series PC-2, No. 48, and Series PC-3, No. 4. Final population figures for minor civil divisions, all incorporated places, and unincorporated places of 1,000 inhabitants or more in the State will appear in a forthcoming report, Series PC-8, No. 4.

County	*Population*	*County*	*Population*
The State	10,586,223	Kings	46,768
		Lake	11,481
Alameda	740,315	Lassen	18,474
Alpine	241	Los Angeles	4,151,687
Amador	9,151	Madera	36,964
Butte	64,930	Marin	85,619
Calaveras	9,902	Mariposa	5,145
Colusa	11,651	Mendocino	40,854
Contra Costa	298,984	Merced	69,780
Del Norte	8,078	Modoc	9,678
El Dorado	16,207	Mono	2,115
Fresno	276,515	Monterey	130,498
Glenn	15,448	Napa	46,603
Humboldt	69,241	Nevada	19,888
Imperial	62,975	Orange	216,224
Inyo	11,658	Placer	41,649
Kern	228,309	Plumas	13,519

County	Population	County	Population
Riverside	170,046	Sierra	2,410
Sacramento	277,140	Siskiyou	30,733
San Benito	14,370	Solano	104,833
San Bernardino	281,642	Sonoma	103,405
San Diego	556,808	Stanislaus	127,231
San Francisco	775,357	Sutter	26,239
San Joaquin	200,750	Tehama	19,276
San Luis Obispo	51,417	Trinity	5,087
San Mateo	235,659	Tulare	149,264
Santa Barbara	98,220	Tuolumne	12,584
Santa Clara	290,547	Ventura	114,647
Santa Cruz	66,534	Yolo	40,640
Shasta	36,413	Yuba	24,420

U. S. Department of Commerce—Bureau of the Census

1950 CENSUS OF POPULATION

Preliminary Counts

For release November 5, 1950 Washington 25, D. C. Series PC-3, No. 2

Population of Congressional Districts—April 1, 1950

(The figures in this report are preliminary counts of population compiled in field offices. Final population totals for the United States and each state will be given in a forthcoming report; final figures for all congressional districts will be available by July 1, 1951.)

Preliminary population figures from the 1950 Census for the 425 congressional districts in the United States were reported today by Roy V. Peel, Director, Bureau of the Census, Department of Commerce. Although the House of Representatives has 435 members, 10 are presently elected at large and do not represent specific congressional districts.

Four out of every five congressional districts increased in population between 1940 and 1950, with the greatest gain occurring in the Sixth District of California which increased by 352,255, or 98.8 percent. There were 19 states in which not a single congressional district lost population, and there were no states which did not have at least one congressional district which gained population.

Congressional districts in 1950 range in size from the Twenty-second District of Ohio with a population of 908,403, to the Second District of South Dakota which had a population of 158,147. However, more than three-quarters of all congressional districts fell within the much narrower range from 200,000 to 400,000. Only 2.8 percent of all districts had fewer than 200,000 population, and 6.4 percent more than a half-million inhabitants.

The preliminary population counts given in this report represent the number of persons enumerated in each congressional district, but not the final verified population totals. The final population totals may differ from the preliminary counts because of the allocation to the place of usual residence of persons who were enumerated elsewhere, the inclusion of crews of vessels docked within an area but not included in the preliminary count, and because of other revisions.

Population of Congressional Districts—1950 and 1940

(A minus sign (—) denotes decrease. Percent not shown where less than 0.1.)

State and congressional district	Preliminary count, April 1, 1950	April 1, 1940	Change, 1940 to 1950	
			Number	Percent
ALABAMA	3,052,754	2,832,961	219,793	7.8
First	368,766	297,473	71,293	24.0
Second	369,108	356,553	12,555	3.5
Third	303,664	303,837	—173	—0.1
Fourth	301,783	283,622	18,161	6.4
Fifth	310,245	294,539	15,706	5.3
Sixth	250,664	251,757	—1,093	—0.4
Seventh	273,201	285,138	—11,937	—4.2
Eighth	321,137	300,112	21,025	7.0
Ninth	554,186	459,930	94,256	20.5

Population of Congressional Districts—1950 and 1940—Continued

(A minus sign (—) denotes decrease. Percent not shown where less than 0.1.)

State and congressional district	*Preliminary count, April 1, 1950*	*April 1, 1940*	*Change, 1940 to 1950*	
			Number	*Percent*
ARIZONA	745,259	499,261	245,998	49.3
First	329,266	186,193	143,073	76.8
Second	415,993	313,068	102,925	32 9
ARKANSAS	1,901,631	1,949,387	—47,756	—2.4
First	425,861	423,152	2,709	0.6
Second	205,696	222,974	—17,278	—7.7
Third	178,000	177,476	524	0.3
Fourth	216,485	242,165	—25,680	—10.6
Fifth	307,689	293,023	14,666	5.0
Sixth	309,755	303,301	6,454	2.1
Seventh	258,145	287,296	—29,151	—10.1
CALIFORNIA	10,490,070	6,907,387	3,582,683	51.9
First	458,230	308,986	149,244	48.3
Second	261,734	218,002	43,732	20.1
Third	665,770	409,404	256,366	62.6
Fourth	361,778	316,914	44,864	14.2
Fifth	398,975	317,622	81,353	25.6
Sixth	708,760	356,505	352,255	98.8
Seventh	322,669	256,956	65,713	25.6
Eighth	603,268	343,180	260,088	75.8
Ninth	507,149	323,733	183,416	56.7
Tenth	422,139	277,444	144,695	52.2
Eleventh	392,182	246,518	145,664	59.1
Twelfth	475,908	260,330	215,578	82.8
Thirteenth	253,026	229,998	23,028	10.0
Fourteenth	327,533	326,032	1,501	0.5
Fifteenth	332,459	319,120	13,339	4 2
Sixteenth	478,349	330,350	147,999	44.8
Seventeenth	650,471	392,616	257,855	65.7
Eighteenth	568,413	292,311	276,102	94.5
Nineteenth	319,171	249,469	69,702	27.9
Twentieth	654,111	352,326	301,785	85.7
Twenty-first	345,975	194,199	151,776	78.2
Twenty-second	446,033	296,024	150,009	50.7
Twenty-third	535,967	289,348	246,619	85.2
COLORADO	1,318,048	1,123,296	194,752	17.3
First	412,856	322,412	90,444	28.1
Second	399,213	319,067	80,146	25.1
Third	333,419	308,970	24,449	7.9
Fourth	172,560	172,847	—287	—0.2
CONNECTICUT [1]	1,995,263	1,709,242	286,021	16.7
First	536,232	450,189	86,043	19.1
Second	315,806	269,312	46,494	17.3
Third	366,809	323,756	43,053	13.3
Fourth	502,832	418,384	84,448	20.2
Fifth	273,584	247,601	25,983	10.5
DELAWARE (At large)	316,609	266,505	50,104	18.8

[1] One representative elected at large

Population of Congressional Districts—1950 and 1940—Continued

(A minus sign (—) denotes decrease. Percent not shown where less than 0.1.)

State and congressional district	Preliminary count, April 1, 1950	April 1, 1940	Change, 1940 to 1950	
			Number	Percent
FLORIDA	2,743,736	1,897,414	846,322	44.6
First	642,638	439,895	202,743	46.1
Second	502,835	388,053	114,782	29.6
Third	402,248	306,264	95,984	31.3
Fourth	520,300	286,919	233,381	81.3
Fifth	390,365	289,452	100,913	34.9
Sixth	285,350	186,831	98,519	52.7
GEORGIA	3,433,190	3,123,723	309,467	9.9
First	349,350	335,654	13,696	4.1
Second	285,624	273,436	12,188	4.5
Third	382,499	357,295	25,204	7.1
Fourth	296,356	280,472	15,884	5.7
Fifth	610,771	487,552	123,219	25.3
Sixth	307,558	289,404	18,154	6 3
Seventh	367,279	308,761	58,518	19.0
Eighth	267,429	255,139	12,290	4.8
Ninth	246,061	235,420	10,641	4.5
Tenth	320,263	300,590	19,673	6.5
IDAHO	585,092	524,873	60,219	11.5
First	242,650	224,516	18,134	8.1
Second	342,442	300,357	42,085	14.0
ILLINOIS	8,684,513	7,897,241	787,272	10.0
First	319,874	262,441	57,433	21.9
Second	352,172	335,799	16,373	4.9
Third	347,519	299,106	48,413	16.2
Fourth	439,439	321,013	118,426	36.9
Fifth	330,607	316,826	13,781	4.4
Sixth	333,637	339,637	—6,000	—1.8
Seventh	397,077	380,545	16,532	4.3
Eighth	304,229	318,310	—14,081	—4.4
Ninth	335,002	322,633	12,369	3.8
Tenth	370,410	342,584	27,826	8.1
Eleventh	323,932	286,974	36,958	12.9
Twelfth	354,803	338,531	16,272	4 8
Thirteenth	462,419	320,037	142,382	44.5
Fourteenth	354,219	270,997	83,222	30.7
Fifteenth	323,666	291,104	32,562	11.2
Sixteenth	352,437	307,611	44,826	14.6
Seventeenth	287,440	269,710	17,730	6.6
Eighteenth	313,957	276,685	37,272	13.5
Nineteenth	324,915	301,934	22,981	7.6
Twentieth	255,828	266,407	—10,579	—4.0
Twenty-first	284,449	277,840	6,609	2 4
Twenty-second	331,625	284,001	47,624	16.8
Twenty-third	269,169	279,615	—10,446	—3.7
Twenty-fourth	273,737	295,473	—21,736	—7.4
Twenty-fifth	386,712	316,248	70,464	22.3
Twenty-sixth	255,239	275,180	—19,941	—7.2

Population of Congressional Districts—1950 and 1940—Continued

(A minus sign (—) denotes decrease. Percent not shown where less than 0.1.)

State and congressional district	*Preliminary count, April 1, 1950*	*April 1, 1940*	*Change, 1940 to 1950*	
			Number	*Percent*
INDIANA	3,921,213	3,427,796	493,417	14.4
First	366,113	293,195	72,918	24.9
Second	302,269	253,952	48,317	19.0
Third	395,282	324,052	71,230	22.0
Fourth	327,207	288,062	39,145	13.6
Fifth	390,974	356,528	34,446	9.7
Sixth	295,289	281,124	14,165	5.0
Seventh	297,994	285,772	12,222	4.3
Eighth	391,207	336,364	54,843	16.3
Ninth	258,560	241,323	17,237	7.1
Tenth	347,271	306,498	40,773	13.3
Eleventh	549,047	460,926	88,121	19.1
IOWA	2,612,598	2,538,268	74,330	2.9
First	372,612	338,261	34,351	10.2
Second	413,206	392,052	21,154	5.4
Third	365,383	344,467	20,916	6.1
Fourth	251,579	268,900	—17,321	—6.4
Fifth	349,048	313,157	35,891	11.5
Sixth	299,113	304,059	—4,946	—1.6
Seventh	265,580	280,031	—14,451	—5.2
Eighth	296,077	297,341	—1,264	—0.4
KANSAS	1,894,390	1,801,028	93,362	5.2
First	317,646	312,593	5,053	1.6
Second	357,196	308,392	48,804	15.8
Third	227,024	249,574	—22,550	—9.0
Fourth	442,807	382,546	60,261	15.8
Fifth	310,981	296,118	14,863	5.0
Sixth	238,736	251,805	—13,069	—5.2
KENTUCKY	2,921,708	2,845,627	76,081	2.7
First	239,604	251,346	—11,742	—4.7
Second	342,912	354,347	—11,435	—3.2
Third	482,285	385,392	96,893	25.1
Fourth	285,055	280,609	4,446	1.6
Fifth	240,260	225,426	14,834	6.6
Sixth	357,524	340,438	17,086	5.0
Seventh	290,264	286,766	3,498	1.2
Eighth	284,410	307,613	—23,203	—7.5
Ninth	399,394	413,690	—14,296	—3.5
LOUISIANA	2,667,022	2,363,880	303,142	12.8
First	347,418	280,600	66,818	23.8
Second	391,332	327,645	63,687	19.4
Third	298,299	269,762	28,537	10.6
Fourth	328,070	318,513	9,557	3.0
Fifth	322,563	325,374	—2,811	—0.9
Sixth	414,975	333,295	81,680	24.5
Seventh	315,807	268,525	47,282	17.6
Eighth	248,558	240,166	8,392	3.5
MAINE	910,456	847,226	63,230	7.5
First	325,927	290,335	35,592	12.3
Second	294,759	276,695	18,064	6.5
Third	289,770	280,196	9,574	3.4

Population of Congressional Districts—1950 and 1940—Continued

(A minus sign (—) denotes decrease. Percent not shown where less than 0.1.)

State and congressional district	*Preliminary count, April 1, 1950*	*April 1, 1940*	*Change, 1940 to 1950*	
			Number	*Percent*
MARYLAND	2,324,243	1,821,244	502,999	27.6
First	210,197	195,427	14,770	7 6
Second	745,493	534,568	210,925	39.5
Third	195,213	206,526	—11,313	—5 5
Fourth	283,445	276,856	6,589	2.4
Fifth	474,572	288,851	185,721	64 3
Sixth	415,323	319,016	96,307	30 2
MASSACHUSETTS	4,664,284	4,316,721	347,563	8 1
First	295,879	278,459	17,420	6.3
Second	342,912	299,109	43,803	14 6
Third	317,540	296,281	21,259	7 2
Fourth	349,899	313,605	36,294	11.6
Fifth	363,220	336,642	26,578	7.9
Sixth	301,691	281,875	19,816	7 0
Seventh	281,265	278,636	2,629	0.9
Eighth	328,309	307,374	20,935	6.8
Ninth	343,971	311,840	32,131	10.3
Tenth	387,455	346,623	40,832	11.8
Eleventh	328,025	328,051	—26	---
Twelfth	330,642	329,294	1,348	0 4
Thirteenth	353,757	306,750	47,007	15 3
Fourteenth	339,719	302,182	37,537	12.4
MICHIGAN	6,308,794	5,256,106	1,052,688	20.0
First	379,093	352,977	26,116	7 4
Second	380,064	285,648	94,416	33.1
Third	348,001	283,352	64,649	22 8
Fourth	289,801	242,339	47,462	19 6
Fifth	360,377	305,998	54,379	17.8
Sixth	469,128	379,423	89,705	23 6
Seventh	412,984	314,368	98,616	31 4
Eighth	331,810	294,842	36,968	12.5
Ninth	272,501	236,861	35,640	15 0
Tenth	252,277	218,768	33,509	15 3
Eleventh	225,723	224,551	1,172	0 5
Twelfth	177,360	200,265	—22,905	—11.4
Thirteenth	340,614	357,775	—17,161	—4.8
Fourteenth	464,830	386,437	78,393	20.3
Fifteenth	382,332	382,399	—67	---
Sixteenth	497,182	371,096	126,086	34 0
Seventeenth	724,717	419,007	305,710	73.0
MINNESOTA	2,968,135	2,792,300	175,835	6 3
First	337,005	318,154	18,851	5 9
Second	321,144	305,559	15,585	5.1
Third	429,613	321,987	107,626	33.4
Fourth	353,190	309,935	43,255	14 0
Fifth	334,568	321,859	12,709	3.9
Sixth	325,050	334,781	—9,731	—2.9
Seventh	304,957	305,139	—182	—0.1
Eighth	290,376	291,041	—665	—0.2
Ninth	272,232	283,845	—11,613	—4.1

Population of Congressional Districts—1950 and 1940—Continued

(A minus sign (—) denotes decrease. Percent not shown where less than 0.1.)

State and congressional district	*Preliminary count, April 1, 1950*	*April 1, 1940*	*Change, 1940 to 1950*	
			Number	*Percent*
MISSISSIPPI	2,173,373	2,183,796	—10,423	—0.5
First	254,230	263,367	—9,137	—3.5
Second	213,681	231,701	—18,020	—7.8
Third	411,581	435,530	—23,949	—5.5
Fourth	177,337	201,316	—23,979	—11.9
Fifth	248,138	261,466	—13,328	—5.1
Sixth	380,973	319,635	61,338	19 2
Seventh	487,433	470,781	16,652	3.5
MISSOURI	3,933,636	3,784,664	148,972	3.9
First	204,527	232,484	—27,957	—12.0
Second	273,498	282,964	—9,466	—3.3
Third	285,274	291,744	—6,470	—2.2
Fourth	279,569	243,543	36,026	14.8
Fifth	257,981	234,285	23,696	10.1
Sixth	285,351	288,849	—3,498	—1.2
Seventh	292,337	313,435	—21,098	—6.7
Eighth	268,118	276,634	—8,516	—3.1
Ninth	212,606	214,757	—2,151	—1.0
Tenth	317,397	315,691	1,706	0.5
Eleventh	347,666	327,287	20,379	6.2
Twelfth	645,868	503,738	142,130	28.2
Thirteenth	263,444	259,253	4,191	1.6
MONTANA	587,337	559,456	27,881	5 0
First	249,763	235,859	13,904	5 9
Second	337,574	323,597	13,977	4.3
NEBRASKA	1,318,079	1,315,834	2,245	0 2
First	367,647	369,190	—1,543	—0 4
Second	337,726	305,961	31,765	10.4
Third	297,562	315,260	—17,698	—5.6
Fourth	315,144	325,423	—10,279	—3.2
NEVADA (At large)	158,283	110,247	48,036	43 6
NEW HAMPSHIRE	529,880	491,524	38,356	7.8
First	275,223	244,491	30,732	12.6
Second	254,657	247,033	7,624	3.1
NEW JERSEY	4,822,528	4,160,165	662,363	15 9
First	441,621	370,220	71,401	19.3
Second	258,530	226,169	32,361	14.3
Third	387,794	286,838	100,956	35.2
Fourth	365,338	294,331	71,007	24.1
Fifth	419,641	329,305	90,336	27.4
Sixth	397,559	328,344	69,215	21.1
Seventh	369,998	283,041	86,957	30.7
Eighth	332,018	305,875	26,143	8.5
Ninth	348,980	292,576	56,404	19.3
Tenth	311,926	292,947	18,979	6.5
Eleventh	309,603	290,822	18,781	6.5
Twelfth	334,893	309,482	25,411	8.2
Thirteenth	268,421	271,807	—3,386	—1.2
Fourteenth	276,206	278,408	—2,202	—0.8

Population of Congressional Districts—1950 and 1940—Continued

(A minus sign (—) denotes decrease. Percent not shown where less than 0.1.)

State and congressional district	*Preliminary count, April 1, 1950*	*April 1, 1940*	*Change, 1940 to 1950*	
			Number	*Percent*
NEW MEXICO (At large)	677,152	531,818	145,334	27.3
NEW YORK	14,741,445	13,479,142	1,262,303	9.4
First	440,738	270,972	169,766	62.7
Second	497,873	333,131	164,742	49.5
Third	464,092	317,627	146,465	46.1
Fourth	339,806	318,171	21,635	6.8
Fifth	402,326	330,039	72,287	21.9
Sixth	340,080	331,797	8,283	2.5
Seventh	312,155	300,424	11,731	3.9
Eighth	279,637	304,212	—24,575	—8.1
Ninth	287,185	301,308	—14,123	—4.7
Tenth	305,811	289,816	15,995	5.5
Eleventh	306,615	289,720	16,895	5.8
Twelfth	292,617	308,991	—16,374	—5.3
Thirteenth	298,084	299,278	—1,194	—0.4
Fourteenth	318,854	300,998	17,856	5.9
Fifteenth	315,389	303,538	11,851	3.9
Sixteenth	274,678	257,879	16,799	6.5
Seventeenth	309,670	298,995	10,675	3.6
Eighteenth	307,699	297,743	9,956	3.3
Nineteenth	314,228	315,639	—1,411	—0.4
Twentieth	315,792	302,984	12,808	4.2
Twenty-first	308,084	302,531	5,553	1.8
Twenty-second	297,404	288,594	8,810	3.1
Twenty-third	340,683	354,006	—13,323	—3.8
Twenty-fourth	340,173	346,904	—6,731	—1.9
Twenty-fifth	370,216	365,918	4,298	1.2
Twenty-sixth	393,831	327,883	65,948	20.1
Twenty-seventh	327,872	297,808	30,064	10.1
Twenty-eighth	314,402	292,305	22,097	7.6
Twenty-ninth	324,377	293,264	31,113	10.6
Thirtieth	324,167	297,761	26,406	8.9
Thirty-first	307,834	280,503	27,331	9.7
Thirty-second	272,331	257,392	14,939	5.8
Thirty-third	347,163	322,308	24,855	7.7
Thirty-fourth	311,545	301,729	9,816	3.3
Thirty-fifth	299,308	274,911	24,397	8.9
Thirty-sixth	340,875	295,108	45,767	5.5
Thirty-seventh	270,176	241,801	28,375	11.7
Thirty-eighth	270,707	249,343	21,364	8.6
Thirty-ninth	281,648	241,036	40,612	16.8
Fortieth	377,814	339,667	38,147	11.2
Forty-first	257,443	240,708	16,735	7.0
Forty-second	376,796	319,294	57,502	18.0
Forty-third	322,452	320,093	2,359	0 7
Forty-fourth	386,358	319,100	67,258	21 1
Forty-fifth	254,457	235,913	18,544	7.9

Population of Congressional Districts—1950 and 1940—Continued

(A minus sign (—) denotes decrease. Percent not shown where less than 0.1.)

State and congressional district	*Preliminary count, April 1, 1950*	*April 1, 1940*	*Change, 1940 to 1950*	
			Number	*Percent*
NORTH CAROLINA	4,038,814	3,571,623	467,191	13.1
First	247,385	239,040	8,345	3.5
Second	306,302	293,297	13,005	4.4
Third	307,925	251,370	56,555	22.5
Fourth	401,109	358,573	42,536	11.9
Fifth	354,154	323,217	30,937	9 6
Sixth	396,243	314,659	81,584	25.9
Seventh	381,097	318,298	62,799	19.7
Eighth	368,775	340,457	28,318	8 3
Ninth	338,565	310,225	28,340	9.1
Tenth	358,802	295,822	62,980	21.3
Eleventh	295,525	265,757	29,768	11.2
Twelfth	282,932	260,908	22,024	8 4
NORTH DAKOTA (At large)	617,965	641,935	—23,970	—3.7
OHIO [1]	7,899,095	6,907,612	991,483	14.4
First	346,046	308,578	37,468	12.1
Second	372,739	313,409	59,330	18.9
Third	570,342	439,058	131,284	29.9
Fourth	277,600	245,130	32,470	13.2
Fifth	166,932	163,561	3,371	2 1
Sixth	209,907	207,229	2,678	1 3
Seventh	354,763	302,068	52,695	17.4
Eighth	198,182	183,187	14,995	8.2
Ninth	421,937	368,693	53,244	14.4
Tenth	181,065	180,482	583	0 3
Eleventh	184,066	181,117	2,949	1.6
Twelfth	501,882	388,712	113,170	29.1
Thirteenth	246,900	219,310	27,590	12.6
Fourteenth	658,423	531,489	126,934	23.9
Fifteenth	195,886	199,609	—3,723	—1.9
Sixteenth	429,417	372,099	57,318	15.4
Seventeenth	290,333	254,315	36,018	14.2
Eighteenth	319,789	321,626	—1,837	—0.6
Nineteenth	492,802	441,240	51,562	11.7
Twentieth	276,278	282,616	—6,338	—2.2
Twenty-first	295,403	305,434	—10,031	—3.3
Twenty-second	908,403	698,650	209,753	30.0
OKLAHOMA	2,223,650	2,336,434	—112,784	—4.8
First	444,988	416,863	28,125	6.7
Second	210,942	239,001	—28,059	—11.7
Third	244,981	320,322	—75,341	—23.5
Fourth	236,490	324,641	—88,151	—27.2
Fifth	487,034	397,385	89,649	22.6
Sixth	233,180	242,241	—9,061	—3.7
Seventh	159,838	189,547	—29,709	—15.7
Eighth	206,197	206,434	—237	—0.1
OREGON	1,512,100	1,089,684	422,416	38.8
First	432,448	309,004	123,444	39.9
Second	245,976	210,991	34,985	16.6
Third	468,571	355,099	113,472	32.0
Fourth	365,105	214,590	150,515	70.1

[1] One representative elected at large.

Population of Congressional Districts—1950 and 1940—Continued

(A minus sign (—) denotes decrease. Percent not shown where less than 0.1.)

State and congressional district	*Preliminary count, April 1, 1950*	*April 1, 1940*	*Change, 1940 to 1950*	
			Number	*Percent*
PENNSYLVANIA	10,462,628	9,900,180	562,448	5 7
First	308,799	324,424	—15,625	—4.8
Second	374,784	358,568	16,216	4.5
Third	339,213	339,006	207	0.1
Fourth	339,659	309,721	29,938	9.7
Fifth	371,645	295,060	76,585	26.0
Sixth	330,694	304,555	26,139	8 6
Seventh	413,065	310,756	102,309	32.9
Eighth	340,961	285,248	55,713	19.5
Ninth	392,824	348,130	44,694	12.8
Tenth	256,208	301,243	—45,035	—14.9
Eleventh	391,226	441,518	—50,292	—11.4
Twelfth	317,180	355,218	—38,038	—10.7
Thirteenth	254,942	241,884	13,058	5.4
Fourteenth	212,705	212,979	—274	—0.1
Fifteenth	252,692	244,920	7,772	3.2
Sixteenth	351,964	289,247	62,717	21 7
Seventeenth	221,271	215,352	5,919	2.7
Eighteenth	372,571	324,857	47,714	14.7
Nineteenth	233,942	239,481	—5,539	—2.3
Twentieth	274,739	260,496	14,243	5.5
Twenty-first	322,549	286,835	35,714	12.5
Twenty-second	290,198	285,060	5,138	1.8
Twenty-third	271,067	285,956	—14,889	—5.2
Twenty-fourth	254,252	255,523	—1,271	—0.5
Twenty-fifth	376,918	341,221	35,697	10.5
Twenty-sixth	366,429	374,400	—7,971	—2.1
Twenty-seventh	313,335	303,411	9,924	3.3
Twenty-eighth	408,541	353,572	54,969	15.5
Twenty-ninth	295,036	272,288	22,748	8.4
Thirtieth	293,317	271,544	21,773	8.0
Thirty-first	340,676	295,063	45,613	15.5
Thirty-second	295,537	301,241	—5,704	—1.9
Thirty-third	283,689	271,403	12,286	4.5
RHODE ISLAND	779,931	713,346	66,585	9.3
First	366,268	338,883	27,385	8.1
Second	413,663	374,463	39,200	10.5
SOUTH CAROLINA	2,107,432	1,899,804	207,628	10.9
First	341,940	289,482	52,458	18.1
Second	415,222	361,933	53,289	14.7
Third	307,557	304,379	3,178	1.0
Fourth	393,231	339,858	53,373	15.7
Fifth	266,321	251,137	15,184	6.0
Sixth	383,161	353,015	30,146	8.5
SOUTH DAKOTA	650,029	642,961	7,068	1.1
First	491,882	485,829	6,053	1.2
Second	158,147	157,132	1,015	0.6
TENNESSEE	3,282,271	2,915,841	366,430	12.6
First	433,145	385,747	47,398	12.3
Second	466,430	388,938	77,492	19.9
Third	421,617	331,120	90,497	27.3
Fourth	200,899	237,324	—36,425	—15.3

Population of Congressional Districts—1950 and 1940—Continued

(A minus sign (—) denotes decrease. Percent not shown where less than 0.1.)

State and congressional district	Preliminary count, April 1, 1950	April 1, 1940	Change, 1940 to 1950 Number	Change, 1940 to 1950 Percent
TENNESSEE—Continued				
Fifth	233,930	225,918	8,012	3.5
Sixth	320,388	257,267	63,121	24.5
Seventh	230,743	231,592	—849	—0.4
Eighth	247,508	250,693	—3,185	—1.3
Ninth	247,450	248,992	—1,542	—0.6
Tenth	480,161	358,250	121,911	34.0
TEXAS	7,677,832	6,414,824	1,263,008	19 7
First	276,371	306,803	—30,432	—9.9
Second	399,096	331,069	68,027	20 5
Third	270,091	292,631	—22,540	—7.7
Fourth	226,865	259,239	—32,374	—12.5
Fifth	610,852	398,564	212,288	53.3
Sixth	227,196	262,735	—35,539	—13.5
Seventh	247,546	299,721	—52,175	—17.4
Eighth	802,102	528,961	273,141	51.6
Ninth	403,949	355,317	48,632	13.7
Tenth	313,362	286,110	27,252	9 5
Eleventh	280,769	251,852	28,917	11.5
Twelfth	419,638	286,132	133,506	46.7
Thirteenth	291,019	279,924	11,095	4.0
Fourteenth	455,394	368,764	86,630	23.5
Fifteenth	453,996	334,616	119,380	35.7
Sixteenth	353,937	230,700	123,237	53.4
Seventeenth	225,742	230,010	—4,268	—1.9
Eighteenth	288,136	239,736	48,400	20.2
Nineteenth	367,973	275,339	92,634	33.6
Twentieth	496,090	338,176	157,914	46.7
Twenty-first	267,708	258,425	9,283	3.6
UTAH	686,797	550,310	136,487	24.8
First	286,274	256,388	29,886	11.7
Second	400,523	293,922	106,601	36.3
VERMONT (At large)	375,833	359,231	16,602	4.6
VIRGINIA	3,270,322	2,677,773	592,549	22.1
First	312,028	250,621	61,407	24 5
Second	488,432	332,864	155,568	46.7
Third	384,135	309,756	74,379	24 0
Fourth	259,202	243,165	16,037	6.6
Fifth	315,310	301,157	14,153	4.7
Sixth	337,695	301,988	35,707	11.8
Seventh	279,618	259,048	20,570	7.9
Eighth	505,979	318,495	187,484	58 9
Ninth	387,923	360,679	27,244	7.6
WASHINGTON	2,363,289	1,736,191	627,098	36.1
First	520,296	412,689	107,607	26.1
Second	372,398	269,757	102,641	38.0
Third	319,411	258,301	61,110	23.7
Fourth	355,766	244,908	110,858	45.3
Fifth	339,950	274,754	65,196	23.7
Sixth	455,468	275,782	179,686	65.2

Population of Congressional Districts—1950 and 1940—Continued

(A minus sign (—) denotes decrease. Percent not shown where less than 0.1.)

State and congressional district	Preliminary count, April 1, 1950	April 1, 1940	Change, 1940 to 1950 Number	Change, 1940 to 1950 Percent
WEST VIRGINIA	1,999,097	1,901,974	97,123	5.1
First	279,444	281,333	—1,889	—0.7
Second	301,841	297,167	4,674	1.6
Third	309,596	315,917	—6,321	—2.0
Fourth	335,285	323,202	12,083	3.7
Fifth	329,584	305,725	23,859	7.8
Sixth	443,347	378,630	64,717	17.1
WISCONSIN	3,421,316	3,137,587	283,729	9.0
First	342,444	293,974	48,470	16.5
Second	388,880	319,069	69,811	21.9
Third	299,961	290,719	9,242	3.2
Fourth	442,870	375,418	67,452	18.0
Fifth	421,067	391,467	29,600	7.6
Sixth	314,902	284,114	30,788	10.8
Seventh	303,152	295,305	7,847	2.7
Eighth	359,203	329,815	29,388	8.9
Ninth	300,122	294,618	5,504	1.9
Tenth	248,715	263,088	—14,373	—5.5
WYOMING (At large)	288,800	250,742	38,058	15.2

U. S. Department of Commerce—Bureau of the Census

1950 CENSUS OF POPULATION

Preliminary Counts

September 28, 1950 Washington 25, D. C. Series PC-2, No. 48

Population of California, By Counties—April 1, 1950

(The figures in this report are preliminary counts of population as compiled in field offices and supersede those for the same areas which have been published in Series PC-1. Figures for some areas are not published in Series PC-1 are also included in this report.)

The population of California as of April 1, 1950, was 10,490,070, according to a preliminary count of the returns of the 1950 Decennial Census of Population, reported today by Roy V. Peel, Director, Bureau of the Census, Department of Commerce. This figure represents a gain of 3,582,683, or 51.9 percent, over the 6,907,387 inhabitants of the State enumerated in the 1940 Census.

The preliminary population counts shown below represent the number of persons enumerated in the State, each county, and each incorporated place of 1,000 or more, but not the final verified population totals. The final population totals may differ from the preliminary counts because of the allocation to the place of usual residence of persons who were enumerated elsewhere, the inclusion of crews of vessels docked within an area but not included in the preliminary count, and because of other revisions.

Area	Preliminary count, April 1, 1950	April 1, 1940	Percentage of change, 1940 to 1950
State total	10,490,070	6,907,387	51.9
Alameda County	733,999	513,011	43 1
Alameda city	63,425	36,256	74.9
Albany city	17,545	11,493	52.7
Berkeley city	113,217	85,547	32.3
Emeryville town	2,870	2,521	13.8
Hayward city	14,273	6,736	111.9
Livermore city	4,262	2,885	47.7

Population of California, By Counties—April 1, 1950—Continued

Area	*Preliminary count, April 1, 1950*	*April 1, 1940*	*Percentage of change, 1940 to 1950*
Alameda County—Continued			
Oakland city	380,576	302,163	26.0
Piedmont city	10,121	9,866	2.6
Pleasanton town	2,245	1,278	75.7
San Leandro city	27,498	14,601	88.3
Alpine county	236	323	—26.9
Amador County	9,101	8,973	1.4
Jackson city	1,867	2,024	—7.8
Sutter Creek city	1,137	1,134	0.3
Butte County	64,374	42,840	50.3
Chico city	12,210	9,287	31.5
Gridley city	3,021	2,338	29.2
Oroville city	5,345	4,421	20.9
Calaveras County	9,850	8,221	19.8
Angels city	1,146	1,163	—1.5
Colusa County	11,567	9,788	18.2
Colusa city	3,014	2,285	31.9
Williams town	1,128	814	38.6
Contra Costa County	297,430	100,450	196.1
Antioch city	10,983	5,106	115.1
Brentwood city	1,642	(1)	----
Concord city	6,980	1,373	408.4
El Cerrito city	18,015	6,137	193.5
Martinez city	8,216	7,381	11.3
Pinole town	1,141	934	22.2
Pittsburg city	12,662	9,520	33.0
Richmond city	99,218	23,642	319.7
San Pablo city	14,511	(1)	----
Walnut Creek city	2,428	1,578	53.9
Del Norte County	8,027	4,745	69.2
Crescent City	1,689	1,363	23.9
El Dorado County	16,046	13,228	21.3
Placerville city	3,726	3,064	21.6
Fresno County	274,225	178,565	53.6
Clovis city	2,757	1,626	69.6
Coalinga city	5,520	5,026	9.8
Fowler town	1,862	1,531	21.6
Fresno city	90,618	60,685	49.3
Kerman city	1,549	(1)	----
Kingsburg city	2,303	1,504	53.1
Mendota city	1,537	(1)	----
Orange Cove city	2,390	(1)	----
Parlier city	1,409	776	81.6
Sanger city	6,376	4,017	58.7
Selma city	5,938	3,667	61.9
Reedley city	4,133	3,170	30.4
Glenn County	15,341	12,195	25.8
Orland town	2,057	1,366	50.6
Willows city	2,988	2,215	34.9

NOTE: A minus sign (—) denotes decrease.
[1] Not shown separately in 1940.

Population of California, By Counties—April 1, 1950—Continued

Area	Preliminary count, April 1, 1950	April 1, 1940	Percentage of change, 1940 to 1950
Humboldt County	68,548	45,812	49.6
Arcata city	3,720	1,855	100.5
Eureka city	22,913	17,055	34.3
Ferndale town	1,024	901	13.7
Fortuna city	1,763	1,413	24.8
Imperial County	62,580	59,740	4.8
Brawley city	11,885	11,718	1.4
Calexico city	6,402	5,415	18.2
Calipatria city	1,429	1,799	—20.6
El Centro city	12,484	10,017	24.6
Holtville city	2,438	1,772	37.6
Imperial city	1,736	1,493	16.3
Westmoreland city	1,215	1,010	20.3
Inyo County	11,486	7,625	50.6
Bishop city	2,879	1,490	93.2
Kern County	227,163	135,124	68.1
Bakersfield city	34,540	29,252	18.1
Delano city	8,672	4,573	89.6
Shafter city	2,198	1,258	74.7
Taft city	3,678	3,205	14.8
Tehachapi city	1,597	1,264	26.3
Wasco city	5,580	(1)	----
Kings County	46,265	35,168	31.6
Corcoran city	3,103	2,092	48.3
Hanford city	9,829	8,234	19.4
Lemoore city	2,122	1,711	24.0
Lake County	11,380	8,069	41.0
Lakeport town	1,974	1,490	32.5
Lassen County	18,403	14,479	27.1
Susanville city	5,320	1,575	237.8
Los Angeles County	4,125,164	2,785,643	48.1
Alhambra city	51,284	38,935	31.7
Arcadia city	23,041	9,122	152.6
Avalon city	1,498	1,637	—8.5
Azusa city	11,072	5,209	112.6
Bell city	15,206	11,264	35.0
Beverly Hills city	28,915	26,823	7.8
Burbank city	78,318	34,337	128.1
Claremont city	6,229	3,057	103.8
Compton city	47,893	16,198	195.7
Covina city	3,968	3,049	30.1
Culver City	19,646	8,976	118.9
El Monte city	8,103	4,746	70.7
El Segundo city	8,009	3,738	114.3
Gardena city	14,418	5,909	144.0
Glendale city	95,398	82,582	15.5
Glendora city	3,992	2,822	41.5
Hawthorne city	16,278	8,263	97.0
Hermosa Beach city	11,766	7,197	63.5
Huntington Park city	29,376	28,648	2.5

NOTE: A minus sign (—) denotes decrease.
[1] Not shown separately in 1940.

Population of California, By Counties—April 1, 1950—Continued

Area	*Preliminary count, April 1, 1950*	*April 1, 1940*	*Percentage of change, 1940 to 1950*
Los Angeles County—Continued			
Inglewood city	46,046	30,114	52.9
La Verne city	4,210	3,092	36.2
Long Beach city	244,072	164,271	48.6
Los Angeles city	1,957,692	1,504,277	30.1
Lynwood city	25,534	10,982	132.5
Manhattan Beach city	17,278	6,398	170.1
Maywood city	13,193	10,731	22 9
Monrovia city	20,274	12,807	58.3
Montebello city	21.754	8,016	171.4
Monterey Park city	20,113	8,531	135.8
Palos Verdes Estates city	1,965	987	99.1
Pasadena city	104,087	81,864	27.1
Pomona city	35,157	23,539	49.4
Redondo Beach city	25,208	13,092	92.5
San Fernando city	12,858	9,094	41.4
San Gabriel city	20,204	11,867	70.3
San Marino city	11,199	8,175	37.0
Santa Monica city	71,299	53,500	33.3
Sierra Madre city	7,288	4,581	59.1
Signal Hill city	4,059	3,184	27.5
South Gate city	50,684	26,945	88.1
South Pasadena city	16,950	14,356	18.1
Torrance city	22,206	9,950	123.2
West Covina city	4,524	1,072	322.0
Whittier city	23,866	16,115	48.1
Madera County	36,763	23,314	57.7
Chowchilla city	3,883	1,957	98.4
Madera city	10,428	6,457	61.5
Marin County	85,237	52,907	61.1
Corte Madera town	1,935	1,098	76.2
Fairfax town	4,065	2,198	84.9
Larkspur city	2,905	1,558	86.5
Mill Valley city	7,241	4,847	49.4
Ross town	2,169	1,751	23.9
San Anselmo town	9,177	5,790	58.5
San Rafael city	13,830	8,573	61.3
Sausalito city	4,812	3,540	35.9
Mariposa County	5,083	5,605	—9.3
Mendocino County	40,596	27,864	45.7
Fort Bragg city	3,808	3,235	17.7
Ukiah city	6,135	3,731	64.4
Willits city	2,680	1,625	64.9
Merced County	69,396	46,988	47.7
Atwater city	2,872	1,235	132.6
Dos Palos city	1,385	978	41.6
Gustine city	1,978	1,355	46.0
Livingston city	1,505	895	68.2
Los Banos city	3,882	2,214	75.3
Merced city	15,144	10,135	49.4

NOTE: A minus sign (—) denotes decrease.
[1] Not shown separately in 1940.

Population of California, By Counties—April 1, 1950—Continued

Area	*Preliminary count, April 1, 1950*	*April 1, 1940*	*Percentage of change, 1940 to 1950*
Modoc County	9,643	8,713	10.7
Alturas city	2,812	2,090	34.5
Mono County	2,082	2,299	—9.4
Monterey County	129,911	73,032	77 9
Carmel-by-the-Sea city	4,321	2,837	52.3
Gonzales city	1,818	[1]	—
Greenfield city	1,308	[1]	—
King City	2,338	1,768	32.2
Monterey city	16,120	10,084	59.9
Pacific Grove city	9,573	6,249	53.2
Salinas city	13,895	11,586	19.9
Soledad city	2,396	861	178.3
Napa County	46,373	28,503	62 7
Calistoga city	1,408	1,124	25.3
Napa city	13,542	7,740	75.0
St. Helena city	2,295	1,758	30.5
Nevada County	19,409	19,283	0.7
Grass Valley city	5,257	5,701	—7.8
Nevada City	2,487	2,445	1.7
Orange County	214,061	130,760	63.7
Anaheim city	14,522	11,031	31.6
Brea city	3,215	2,567	25.2
Fullerton city	13,939	10,442	33.5
Huntington Beach city	5,258	3,738	40.7
Laguna Beach city	6,188	4,460	38.7
La Habra city	4,974	2,499	99.0
Newport Beach city	12,220	4,438	175.3
Orange city	10,503	7,901	27.2
Placentia city	1,681	1,472	14.2
San Clemente city	2,008	479	319.2
Santa Ana city	45,534	31,921	42.6
Seal Beach city	3,558	1,553	129.1
Tustin city	1,140	953	19.6
Placer County	41,324	28,108	47.0
Auburn city	4,647	4,013	15.8
Lincoln city	2,406	2,044	17.7
Rocklin city	1,149	795	44.5
Roseville city	8,715	6,653	31.0
Plumas County	13,398	11,548	16.0
Portola city	2,237	[1]	—
Riverside County	169,392	105,524	60.5
Banning city	7,022	3,874	81.3
Beaumont city	3,143	2,208	42.3
Blythe city	4,086	2,355	73.5
Coachella city	2,743	[1]	—
Corona city	10,219	8,764	16.6
Elsinore city	2,054	1,552	32.3
Hemet city	3,371	2,595	29.9
Indio city	5,281	2,296	130.0
Palm Springs city	7,428	3,434	116.3

NOTE: A minus sign (—) denotes decrease.
[1] Not shown separately in 1940.

Population of California, By Counties—April 1, 1950—Continued

Area	Preliminary count, April 1, 1950	April 1, 1940	Percentage of change, 1940 to 1950
Riverside County—Continued			
Perris city	1,796	1,011	77 6
Riverside city	46,399	34,696	33.7
San Jacinto city	1,760	1,356	29.8
Sacramento County	275,659	170,333	61.8
Folsom city	1,706	(1)	—
Galt city	1,319	(1)	—
Isleton city	1,591	1,837	—13.4
North Sacramento city	6,016	3,053	97.1
Sacramento city	135,761	105,958	28.1
San Benito County	14,330	11,392	25.8
Hollister city	4,890	3,881	26.0
San Juan Bautista city	1,024	678	51.0
San Bernardino County	280,252	161,108	74.0
Barstow city	6,130	(1)	—
Chino city	5,788	4,204	37.7
Colton city	14,420	9,686	48.9
Needles city	4,040	3,624	11.5
Ontario city	22,823	14,197	60 8
Redlands city	18,411	14,324	28.5
Rialto city	3,148	1,770	77.9
San Bernardino city	62,792	43,646	43.9
Upland city	9,166	6,316	45.1
San Diego County	535,967	289,348	85.2
Chula Vista city	15,844	5,138	208.4
Coronado city	12,423	6,932	79.2
El Cajon city	5,418	1,471	268.3
Escondido city	6,608	4,560	44.9
La Mesa city	10,908	3,925	177.9
National City	21,132	10,344	104.3
Oceanside city	12,880	4,651	176.9
San Diego city	321,485	203,341	58.1
San Francisco County	760,753	634,536	19.9
San Francisco city	760,753	634,536	19.9
San Joaquin County	200,535	134,207	49.4
Lodi city	13,727	11,079	23.9
Manteca city	3,807	1,981	92.2
Ripon city	1,562	(1)	—
Stockton city	71,660	54,714	31.0
Tracy city	8,455	4,056	108.5
San Luis Obispo County	51,115	33,246	53 7
Arroyo Grande city	1,716	1,090	57.4
El Paso de Robles city [2]	4,821	3,045	58.3
Pismo Beach city	1,425	(1)	—
San Luis Obispo city	14,162	8,881	59.5
San Mateo County	234,080	111,782	109.4
Atherton town	3,591	1,908	88.2
Belmont city	5,548	1,229	351.4
Burlingame city	19,817	15.940	24.3
Daly City	15,111	9,625	57.0

NOTE· A minus sign (—) denotes decrease
[1] Not shown separately in 1940
[2] Returned as Paso Robles city in 1940.

Population of California, By Counties—April 1, 1950—Continued

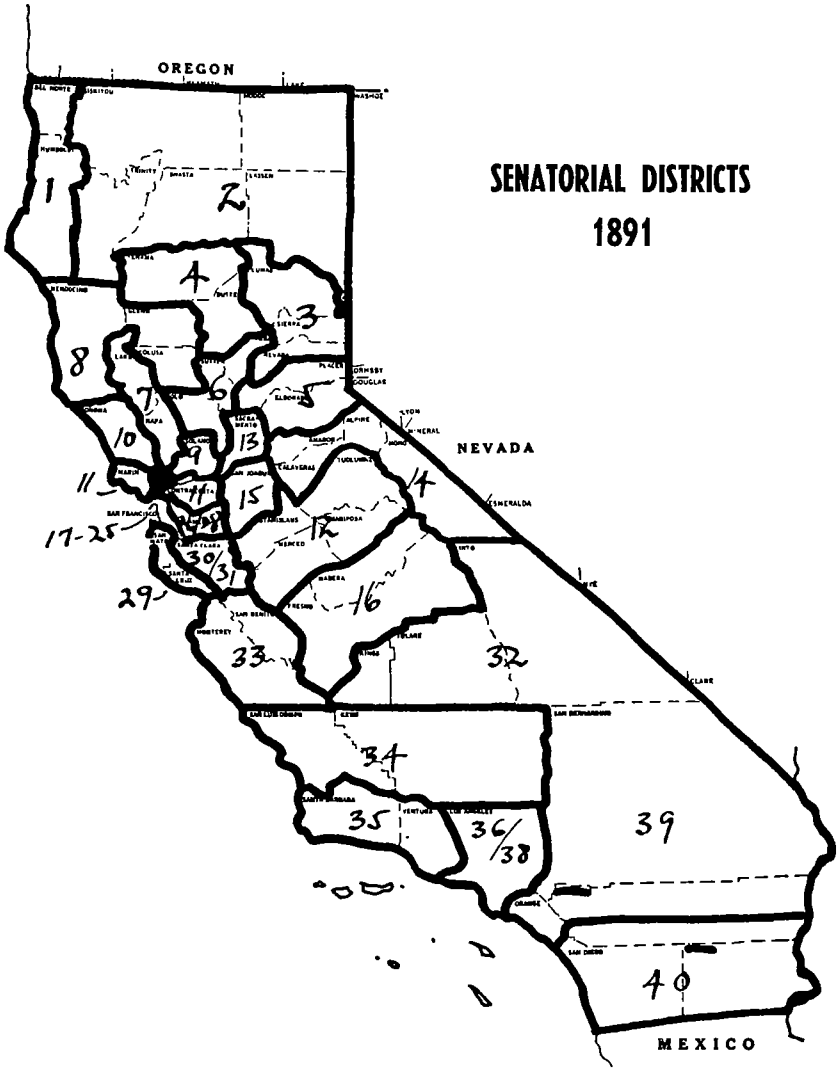
Area	Preliminary count, April 1, 1950	April 1, 1940	Percentage of change, 1940 to 1950
San Mateo County—Continued			
Hillsborough town	3,519	2,747	28.1
Menlo Park city	13,537	3,258	315.5
Millbrae city	8,958	(1)	—
Redwood City	25,342	12,453	103.5
San Bruno city	12,409	6,519	90.4
San Carlos city	14,339	3,520	307.4
San Mateo city	41,536	19,403	114.1
South San Francisco city	19,250	6,629	190.4
Santa Barbara County	97,741	70,555	38.5
Guadalupe city	2,429	(1)	—
Lompoc city	5,514	3,379	63.2
Santa Barbara city	44,764	34,958	28.1
Santa Maria city	10,403	8,522	22.1
Santa Clara County	288,938	174,949	65.2
Gilroy city	4,953	3,615	37.0
Los Gatos town	4,880	3,597	35.7
Morgan Hill town	1,615	1,014	59.3
Mountain View city	6,548	3,946	65.9
Palo Alto city	25,290	16,774	50.8
San Jose city	95,044	68,457	38.8
Santa Clara city	11,668	6,650	75.5
Sunnyvale city	9,849	4,373	125.2
Santa Cruz County	65,920	45,057	46.3
Capitola city	1,828	(1)	—
Santa Cruz city	21,848	16,896	29.3
Watsonville city	11,516	8,937	28.9
Shasta County	36,062	28,800	25.2
Redding city	10,137	8,109	25.0
Sierra County	2,363	3,025	—21.9
Siskiyou County	30,517	28,598	6.7
Dunsmuir city	2,232	2,359	—5.4
Mount Shasta town	1,898	1,618	17.3
Tulelake city	1,018	785	29.7
Yreka City town	3,139	2,485	26.3
Solano County	102,750	49,118	109.2
Benicia city	7,275	2,419	200.7
Dixon town	1,710	1,108	54 3
Fairfield city	3,603	1,312	174.6
Rio Vista town	1,819	1,666	9.2
Vacaville town	3,159	1,614	95.7
Vallejo city	23,164	20,072	15.4
Sonoma County	102,774	69,052	48.8
Cloverdale city	1,278	809	58.0
Healdsburg city	3,184	2,507	27.0
Petaluma city	10,390	8,034	29.3
Santa Rosa city	17,905	12,605	42.0
Sebastopol city	2,611	1,856	40.7
Sonoma city	2,001	1,158	72.8
Stanislaus County	126,765	74,866	69.3
Ceres city	2,353	1,332	76.7
Modesto city	17,347	16,379	5.9

NOTE: A minus sign (—) denotes decrease.
[1] Not shown separately in 1940

Population of California, By Counties—April 1, 1950—Continued

Area	*Preliminary count, April 1, 1950*	*April 1, 1940*	*Percentage of change, 1940 to 1950*
Stanislaus County—Continued			
Newman city	1,879	1,214	54.8
Oakdale city	4,060	2,592	56.6
Patterson city	1,348	1,109	21.6
Riverbank city	2,660	1,130	135.4
Turlock city	6,221	4,839	28.6
Sutter County	26,135	18,680	39.9
Live Oak city	1,759	(1)	—
Yuba City town	7,856	4,968	58.1
Tehama County	19,169	14,316	33.9
Corning city	2,525	1,472	71.5
Red Bluff city	4,885	3,824	27.7
Trinity County	5,045	3,970	27.1
Tulare County	148,711	107,152	38.8
Dinuba city	4,935	3,790	30.2
Exeter city	4,074	3,883	4.9
Lindsay city	5,033	4,397	14.5
Porterville city	6,857	6,270	9.4
Tulare city	12,367	8,259	49.7
Visalia city	11,690	8,904	31.3
Woodlake city	2,512	1,146	119.2
Tuolumne County	12,517	10,887	15.0
Sonora city	2,437	2,257	8.0
Ventura County	113,415	69,685	62.8
Fillmore city	3,879	3,252	19.3
Ojai city	2,512	1,622	54.9
Oxnard city	21,519	8,519	152.6
Port Hueneme city	3,025	(1)	—
San Buenaventura city	16.535	13,264	24.7
Santa Paula city	11,039	8,986	22.8
Yolo County	40,453	27,243	48.5
Davis city	3,557	1,672	112.7
Winters town	1,264	1,133	11.6
Woodland city	9,318	6,637	40.4
Yuba County	24,251	17,034	42.4
Marysville city	7,777	6,646	17.0

NOTE: A minus sign (—) denotes decrease.
[1] Not shown separately in 1940


SENATORIAL DISTRICTS
1891
OREGON
NEVADA
MEXICO
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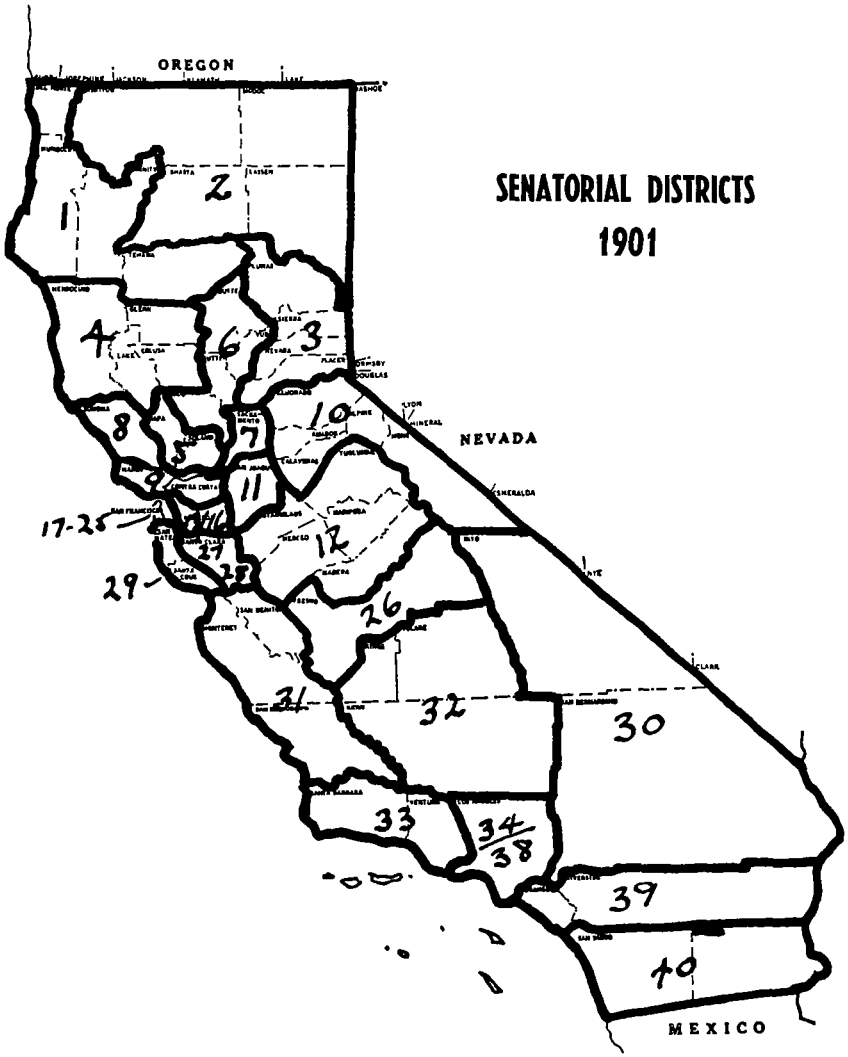
SENATORIAL DISTRICTS
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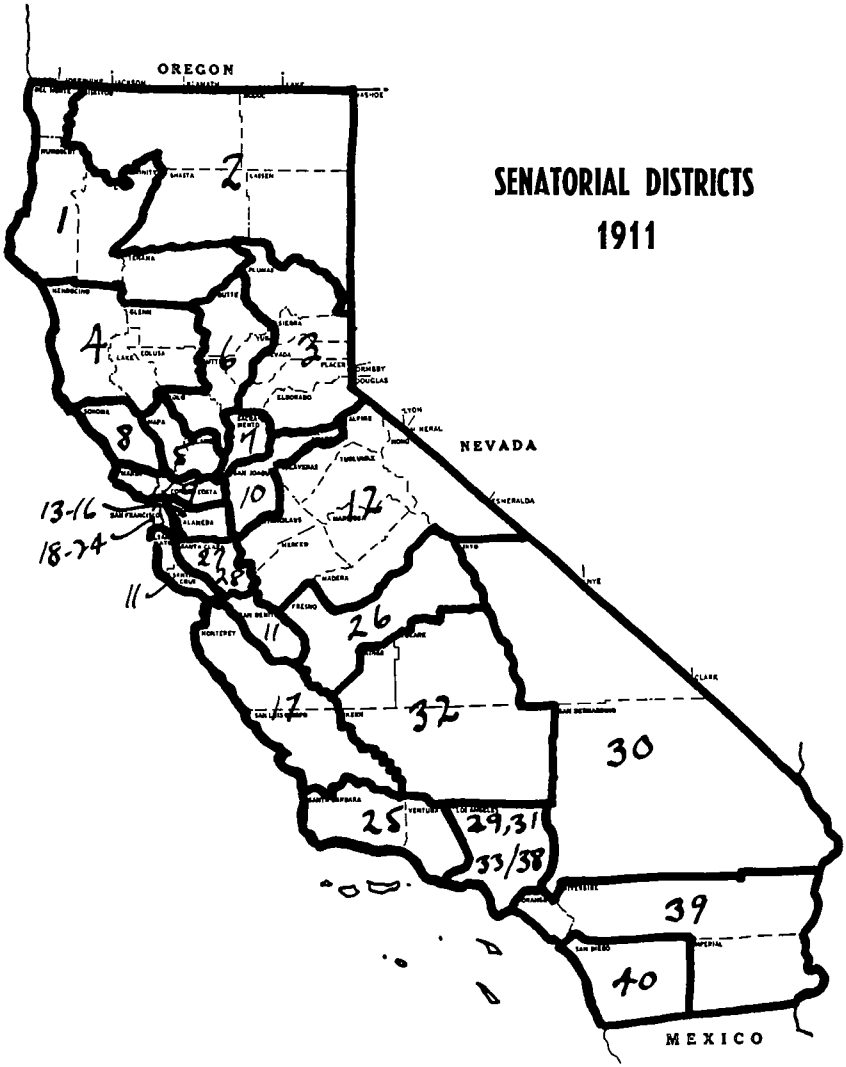
SENATORIAL DISTRICTS
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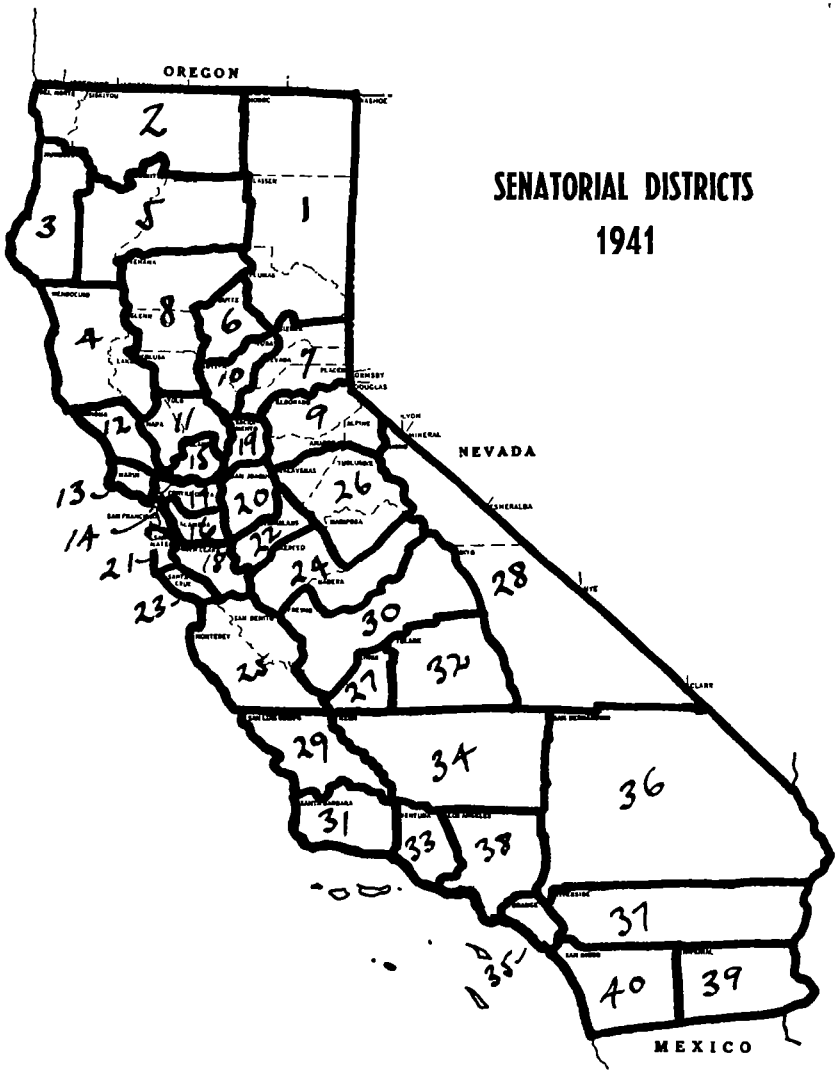
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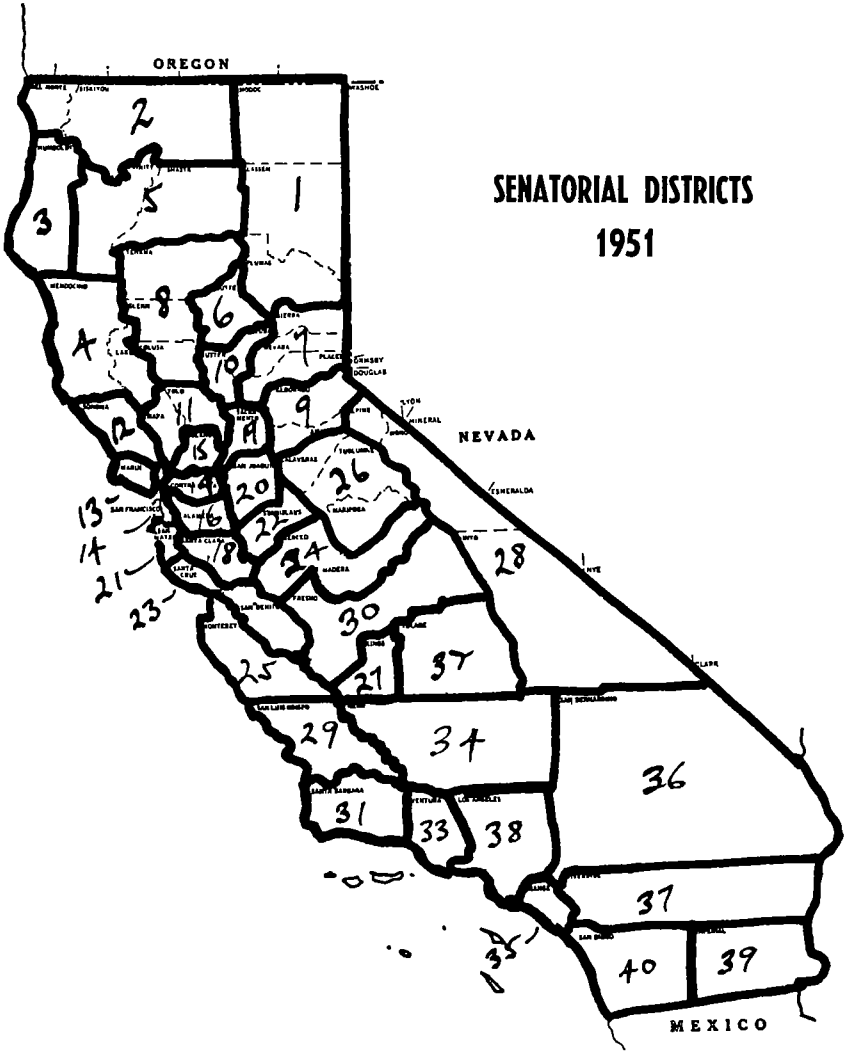
1941
OREGON
NEVADA
MEXICO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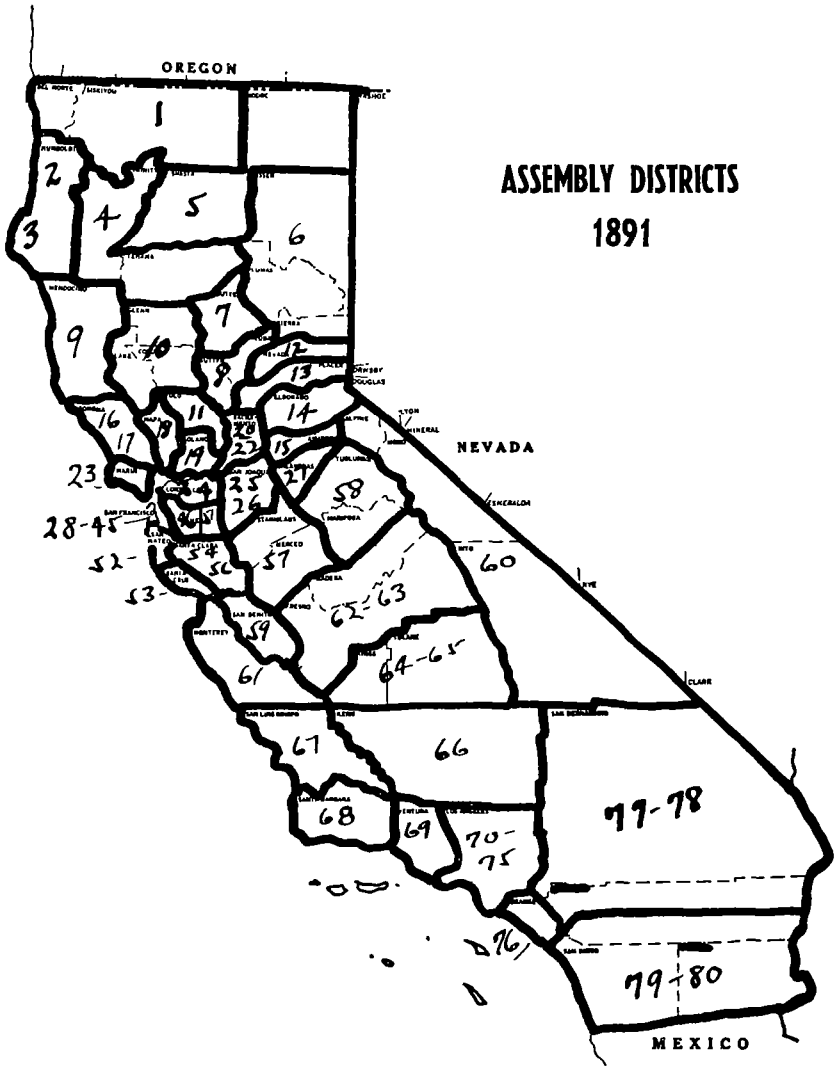
1951
OREGON
NEVADA
MEXICO


ASSEMBLY DISTRICTS
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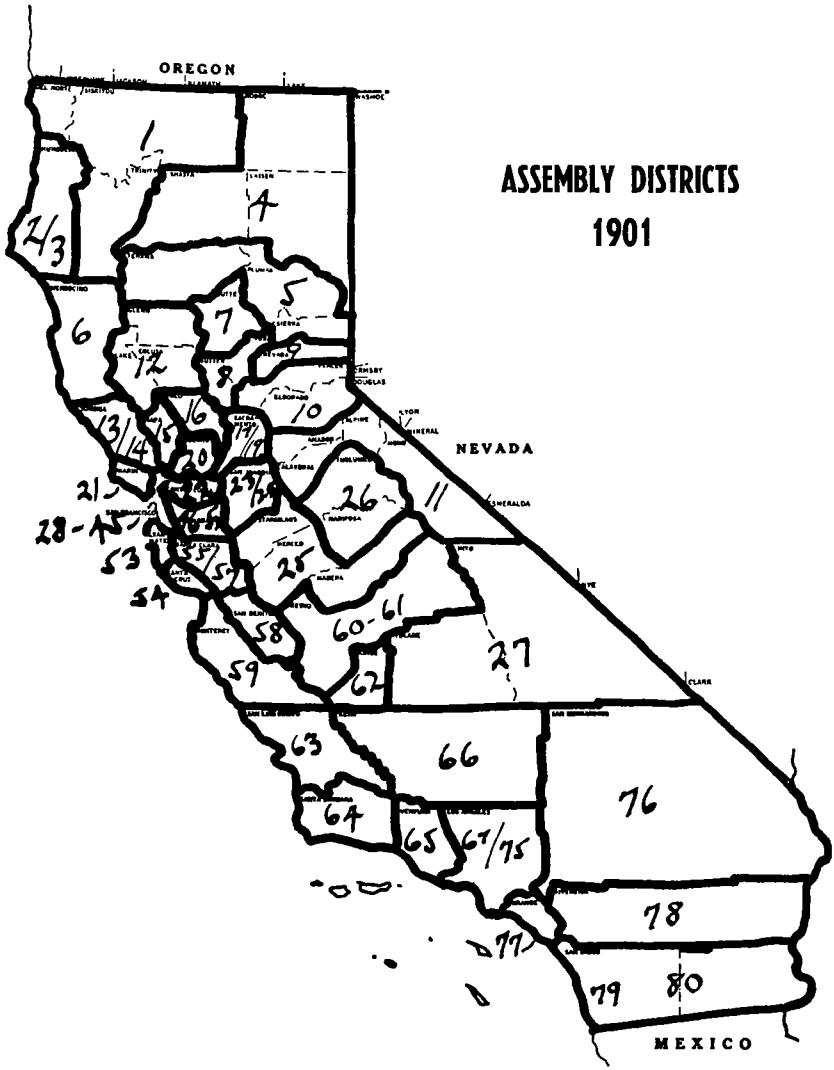
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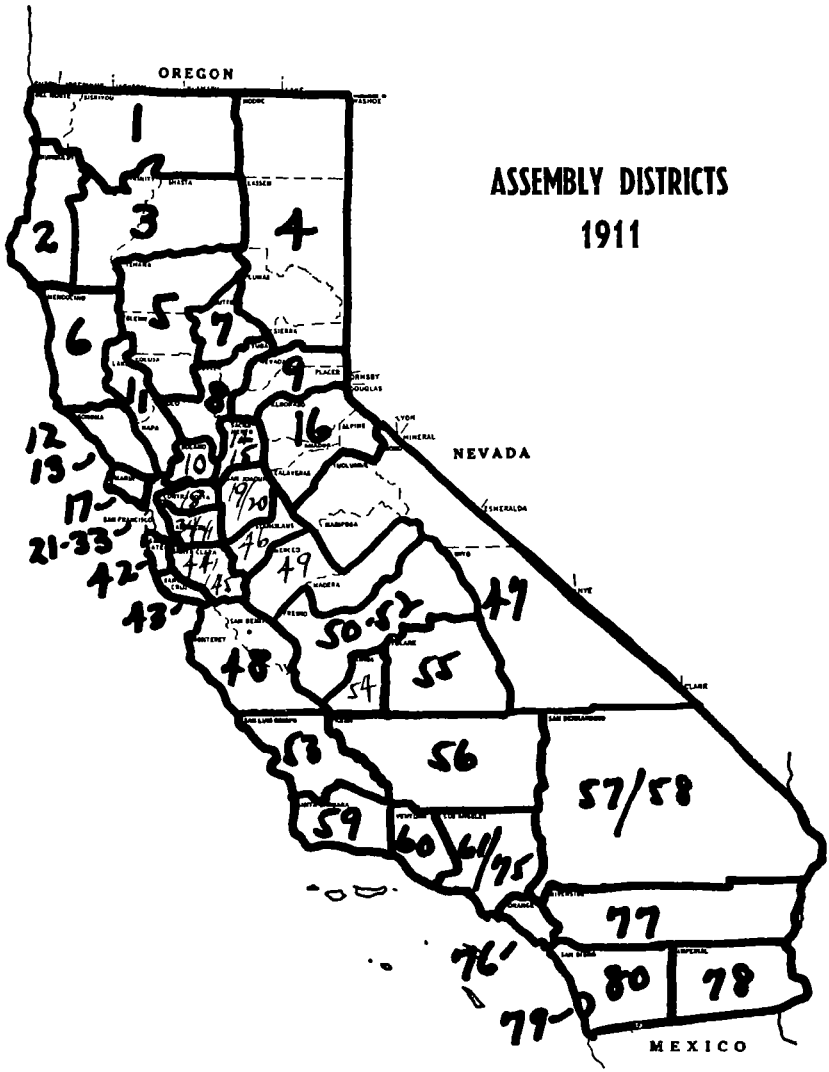
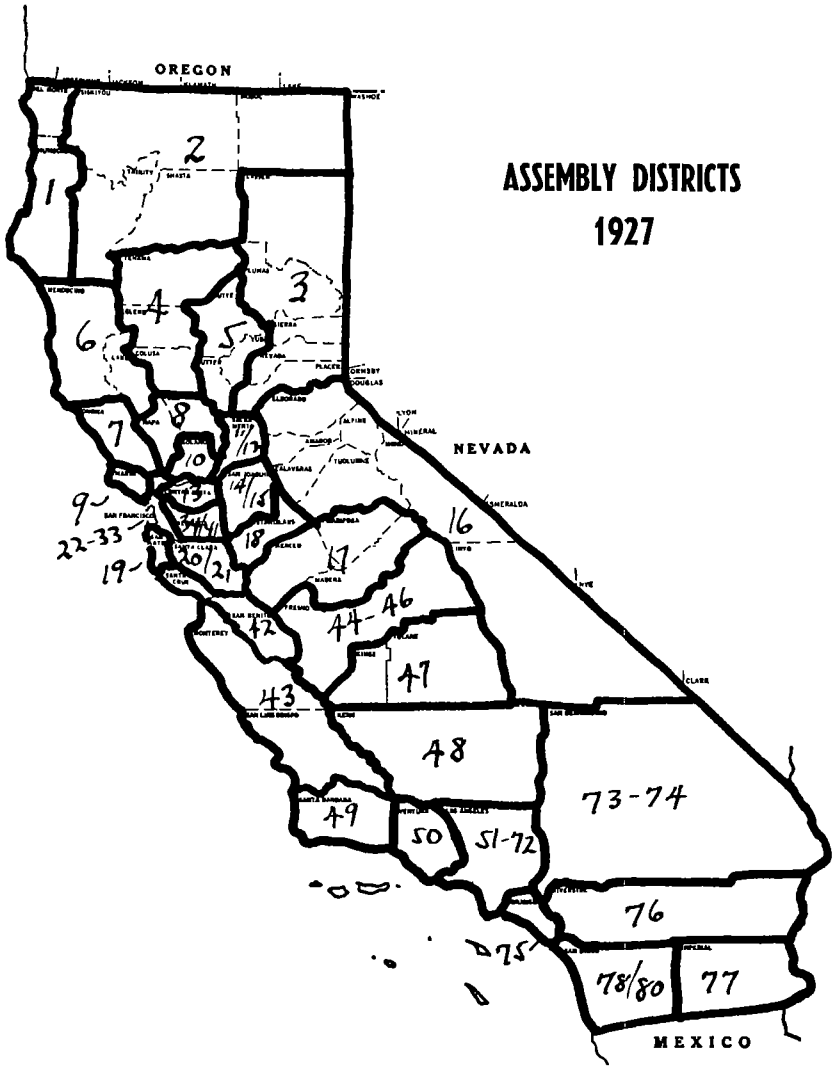
OREGON
NEVADA
MEXICO


ASSEMBLY DISTRICTS
1911
OREGON
NEVADA
MEXICO


ASSEMBLY DISTRICTS
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NEVADA
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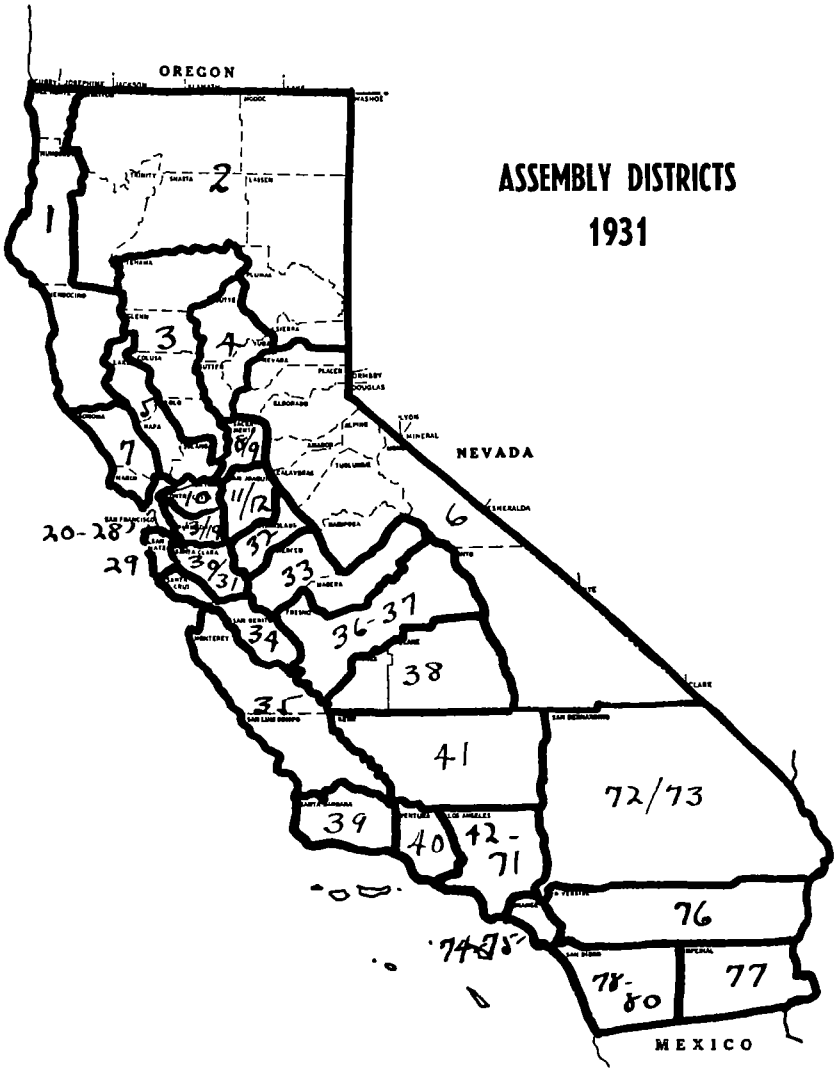
ASSEMBLY DISTRICTS
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NEVADA
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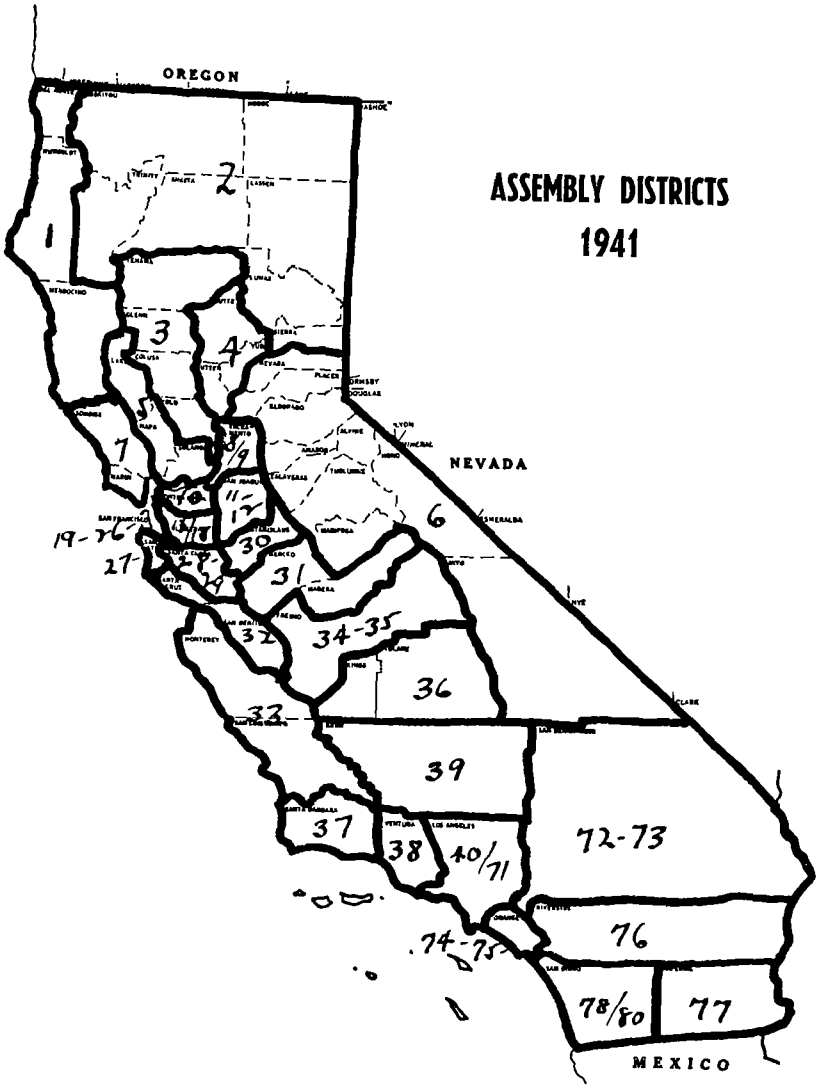
ASSEMBLY DISTRICTS
1941
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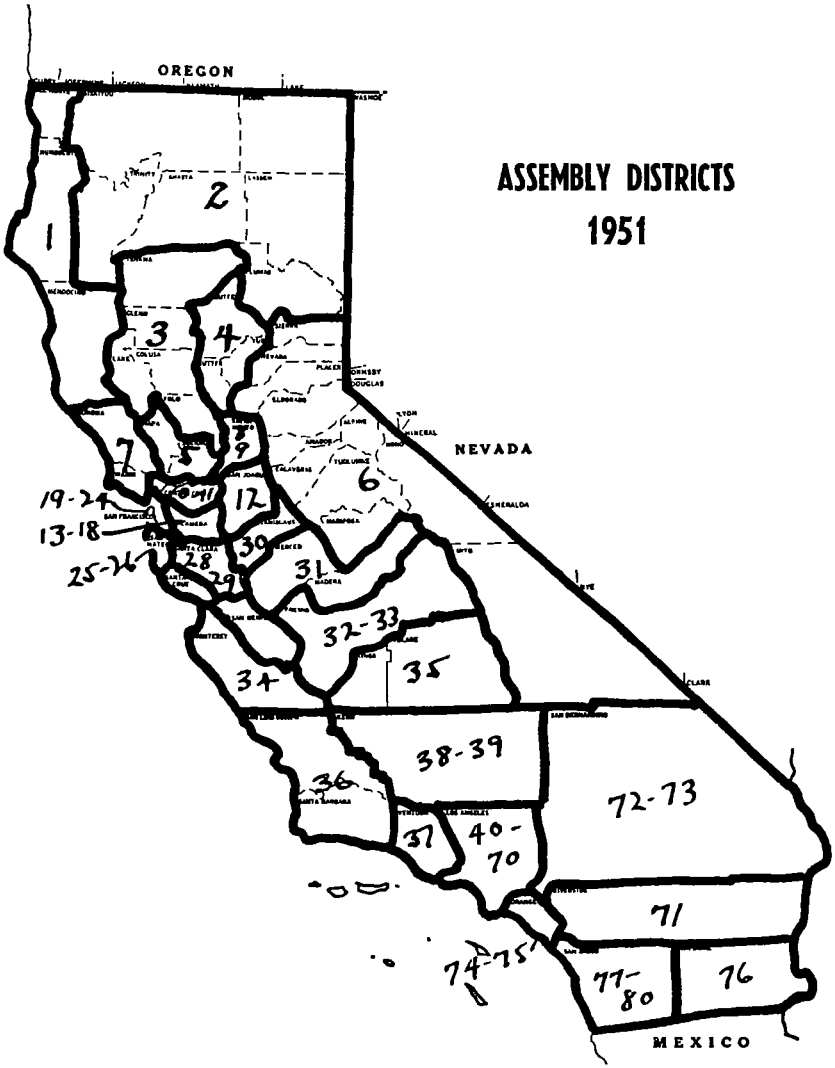
ASSEMBLY DISTRICTS
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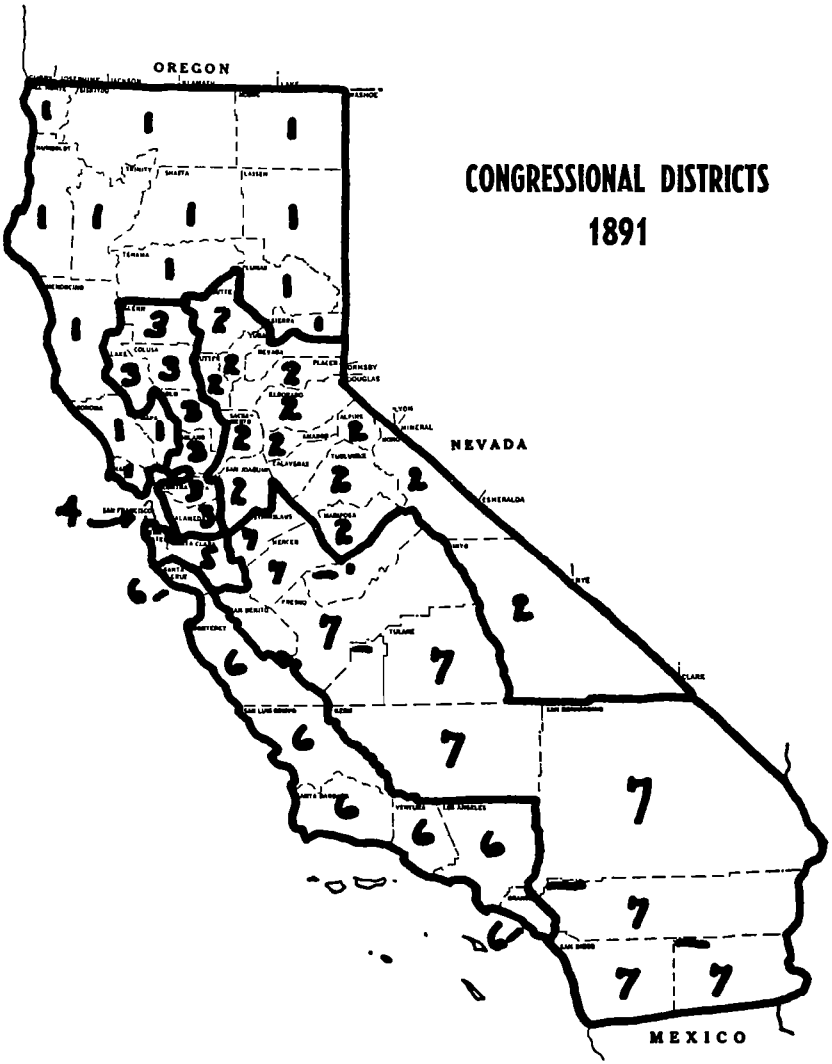
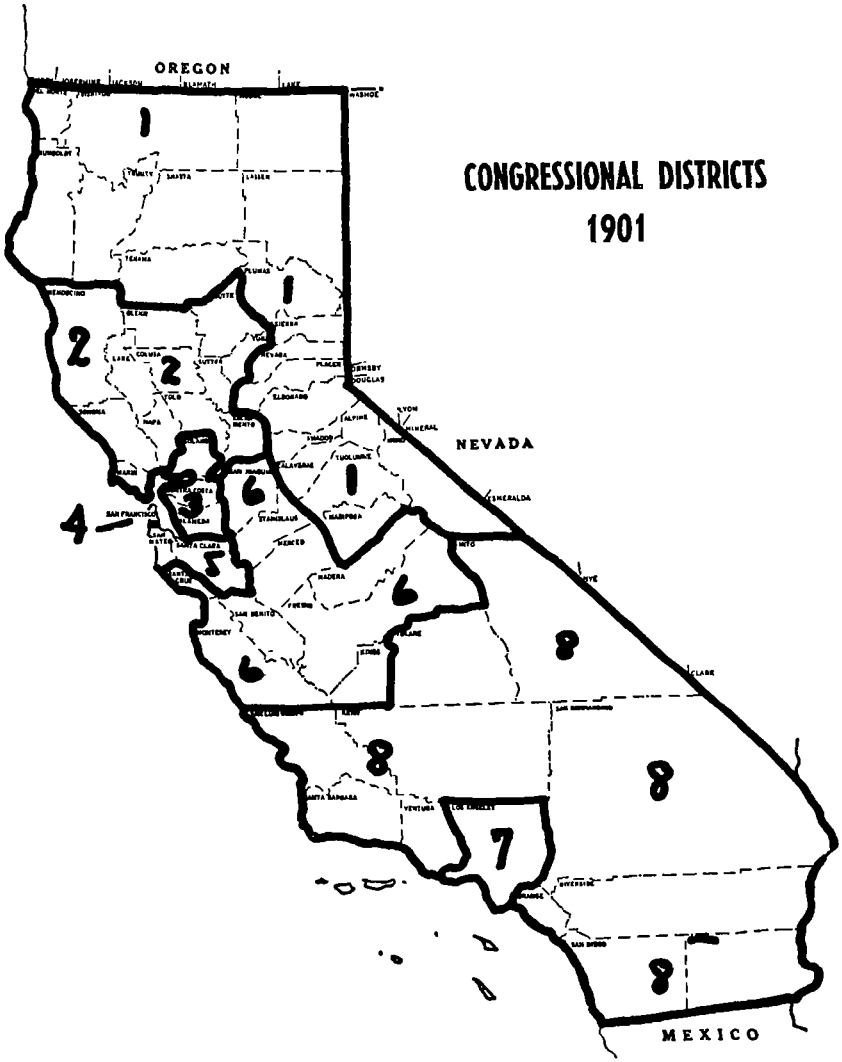

CONGRESSIONAL DISTRICTS
1891
OREGON
NEVADA
MEXICO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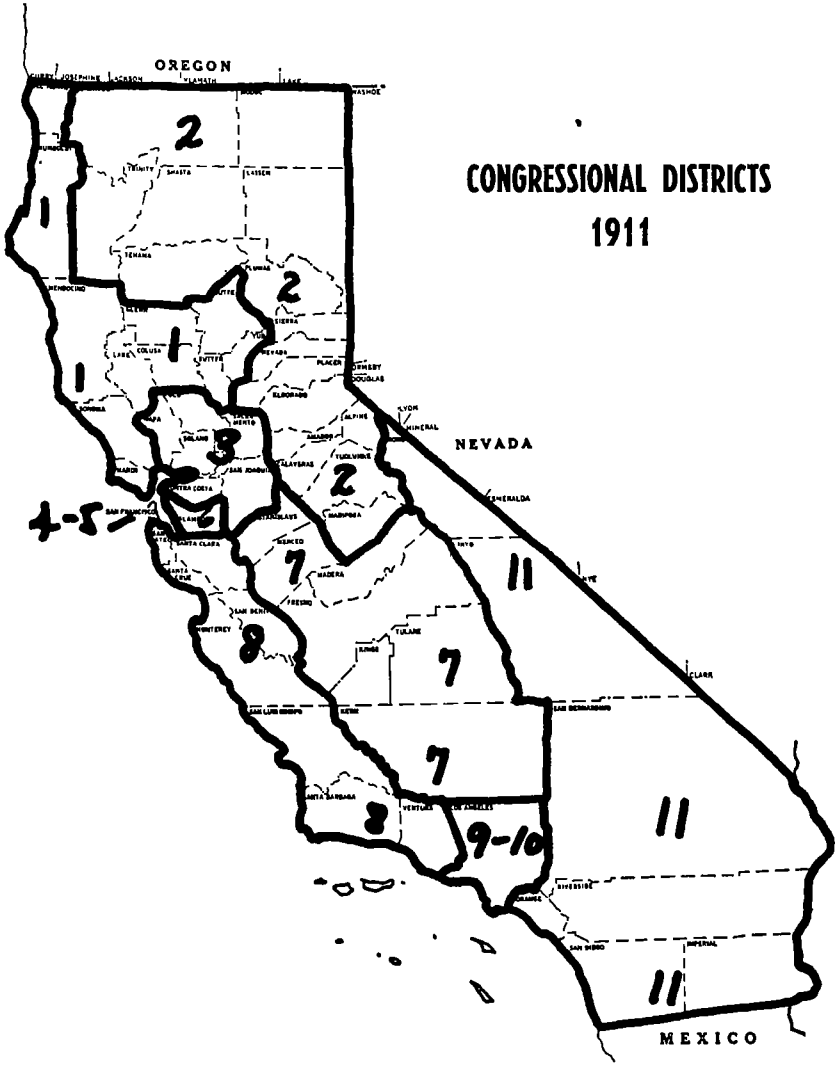
CONGRESSIONAL DISTRICTS
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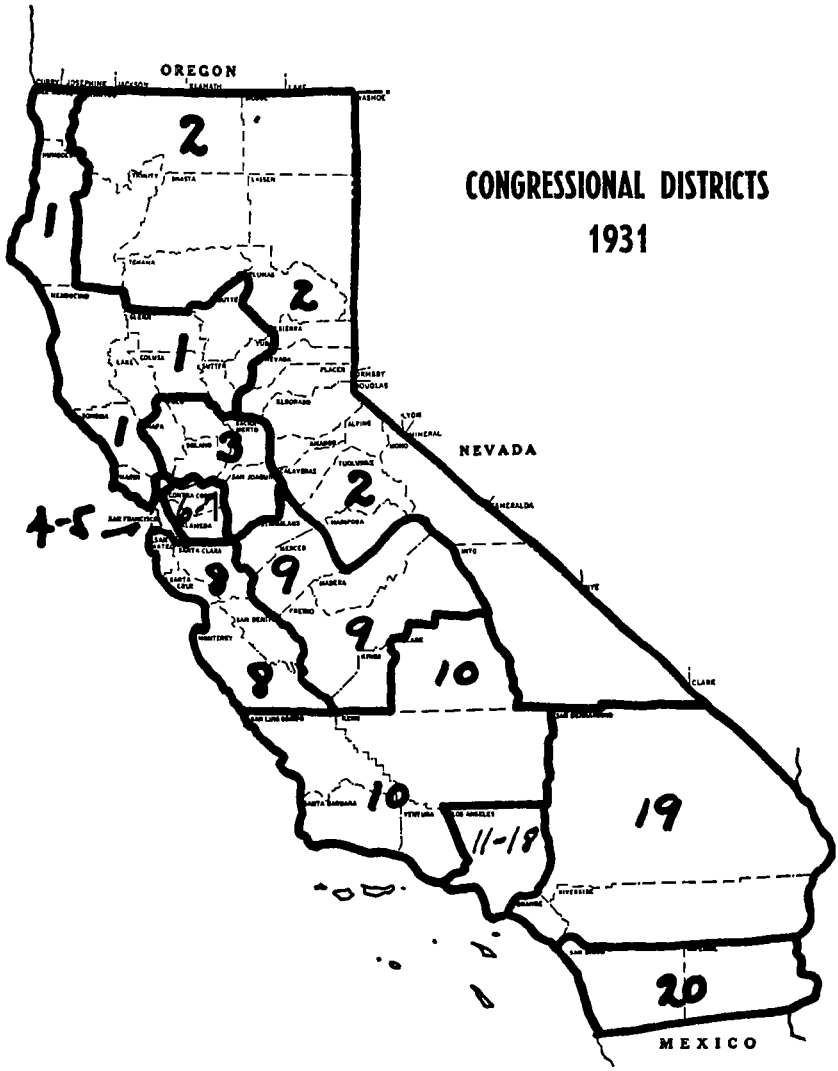
CONGRESSIONAL DISTRICTS
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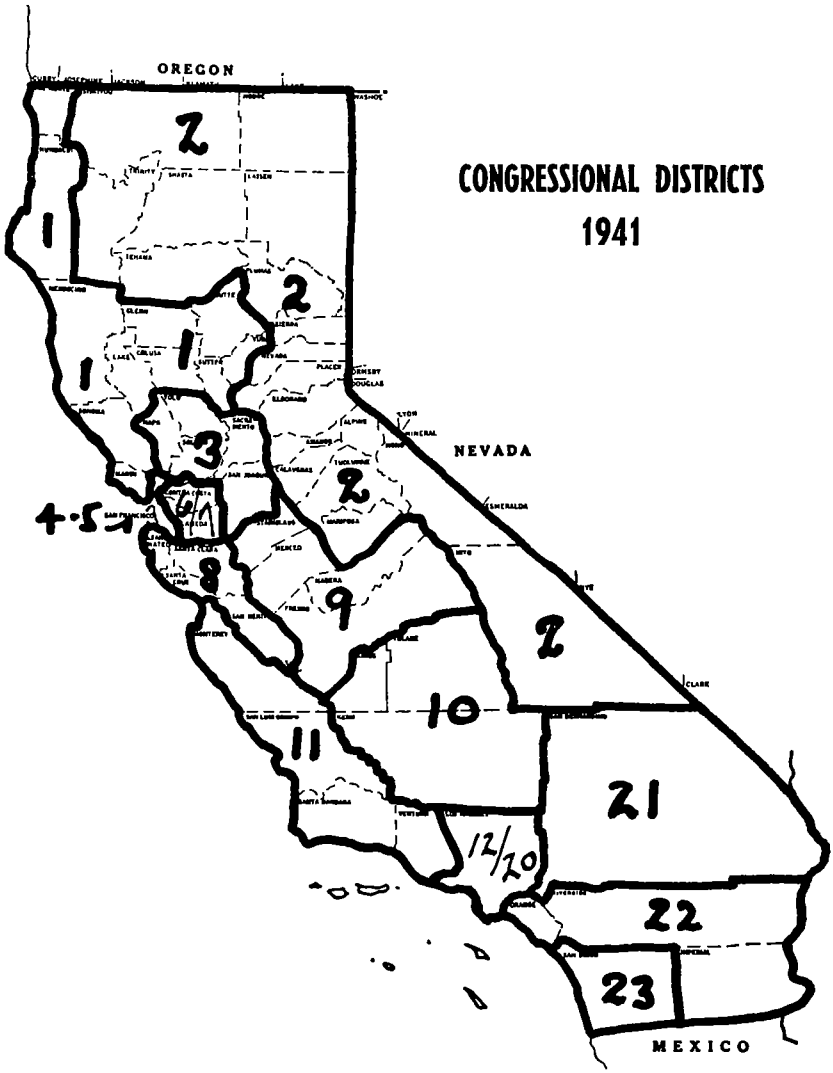
CONGRESSIONAL DISTRICTS
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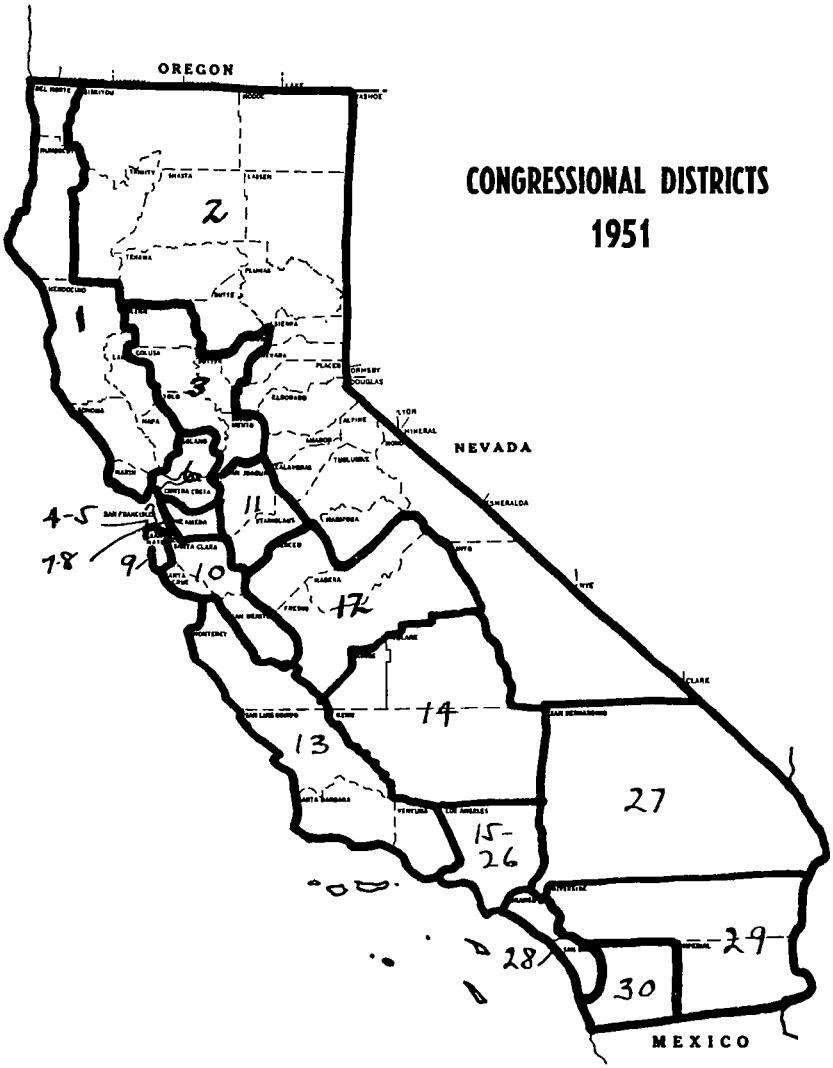
CONGRESSIONAL DISTRICTS
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GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Messrs. Hollibaugh and Porter, the usual courtesies of the Assembly for this day were unanimously extended to Judge Wallace Toelle and Mayor Leland R. Weaver of South Gate.

On request of Mr. Dickey, the usual courtesies of the Assembly for this day were unanimously extended to Miss Helen Willson of San Francisco.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Charles W. Meyers, and Mr. and Mrs. Charles F. Meyers of San Francisco.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Miss Barbara Bressani of San Jose and Miss Edna M. Hansen of San Francisco.

On request of Messrs. Kirkwood and Gubser, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Dennis Tedford, Mrs. W. R. Williams, Mrs. Ray Jergens, Miss Marcia Kasmire, and Mrs. Robert Helm, adults, and the following Girl Scouts of Santa Clara Valley: Betty Jean Bailey, Elizabeth Burke, Gayle Burris, Carolejean Caldwell, Betty Catalano, Janet Colon, Kay Crampton, Marjorie Foster, Donna Gire, Gayle Grisham, Mildred Haden, Karen Hansen, Diane Jergens, Carol Johannsen, Helen Kitchen, Joanne Lyle, Marie Mandoza, Mary Ann Malatesta, Ruth Martin, Lorna McIntyre, Barbara Noble, Sally Peterson, Janice Priest, Margaret Risley, Betty Sasaki, Marilyn Schlueter, Susan Smith, Kathryn Sparry, Lenore Stumpe, Mabel Vasconsellos, Jeanette Williams, and Jane Wyant.

On request of Mr. Lyon, the usual courtesies of the Assembly for this day were unanimously extended to Victor Sen Young of Los Angeles.

On request of Mr. Lincoln, the usual courtesies of the Assembly for this day were unanimously extended to Horace Fong of Oakland.

ADJOURNMENT SINE DIE

At 12 midnight, on Saturday, June 23, 1951, in accordance with the provisions of the Constitution of the State of California, the Honorable Sam L. Collins, Speaker of the Assembly, announced that the time for final adjournment of the 1951 Regular Session of the Legislature of the State of California had arrived, and therefore declared the Assembly adjourned *sine die*.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk